

Memorandum



Date: May 8, 2007

To: Honorable Chairman Bruno A. Barreiro and Members,
Board of County Commissioners

Agenda Item No. 5(Z)

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of the County Manager.

Subject: Class I Permit Application by Marilyn Properties, Inc. to Excavate Uplands to Relocate One Hundred (100) Linear Feet of Existing Bulkhead Landward of its Present Location, Repair the Pile Foundation of a Non-Water-Dependent Fixed Structure, Replace an Existing Concrete Platform, Replace Sixty-One (61) Linear Feet of Existing Bulkhead and Install Two (2) Mooring Dolphin Pilings

Attached, please find for your consideration an application by Marilyn Properties, Inc. for a Class I Permit. Also, attached is the recommendation of the Director of the Department of Environmental Resources Management and a Resolution seeking the Board's approval of the aforesaid Class I Permit.

A handwritten signature in black ink, appearing to read "B. M. Burgess", written over the printed name of the Assistant County Manager.

Assistant County Manager

Memorandum



Date: May 8, 2007

To: George M. Burgess
County Manager

From: Carlos Espinosa, P.E., Director
Environmental Resources Management

Subject: Class I Permit Application by Marilyn Properties, Inc. to Excavate Uplands to Relocate One Hundred (100) Linear Feet of Existing Bulkhead Landward of its Present Location, Repair the Pile Foundation of a Non-Water-Dependent Fixed Structure, Replace an Existing Concrete Platform, Replace Sixty-One (61) Linear Feet of Existing Bulkhead and Install Two (2) Mooring Dolphin Pilings

Recommendation

I have reviewed the Class I Permit application by Marilyn Properties, Inc. Based upon the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County, Florida, I recommend that the Board of County Commissioners approve the issuance of a Class I Permit for the reasons set forth below.

Scope

The project site is located along the Miami River at 745 N.W. 4 Street, and 341 and 377 N.W. South River Drive, Miami, Miami-Dade County, Florida which is in Commission District 5.

Fiscal Impact/Funding Source

Not applicable.

Track Record/Monitor

Not applicable.

Background

The subject Class I Permit application involves the excavation of privately owned uplands for the purpose of replacing one hundred (100) linear feet of existing bulkhead landward of its present location and the repair of the pile foundation of a non-water-dependent warehouse structure. The proposed project also includes the replacement of an existing concrete platform, replacement of sixty-one (61) linear feet of bulkhead and the installation of two (2) mooring dolphin pilings. The project site is located along the Miami River at 745 N.W. 4 Street, and 341 and 377 N.W. South River Drive, Miami, Miami-Dade County, Florida.

The site consists of three (3) separate parcels located in the City of Miami, adjacent to the Miami River. The subject site has two (2) existing warehouses, one (1) of which is located over tidal waters of Miami-Dade County and is considered a non-water-dependent fixed structure pursuant to Section 24-48.24 of the Code of Miami-Dade County. These structures have been in existence since at least 1942.

The proposed project will relocate one hundred (100) linear feet of existing bulkhead one (1) to three (3) feet landward of its present location as shown in the attached plans (see Attachment C). The bulkhead relocation will be achieved through the excavation of privately owned uplands behind the existing bulkhead. The new bulkhead will be installed behind the existing bulkhead and the existing bulkhead will then be removed.

The proposed project also includes the repair of the pile foundation of a non-water-dependent warehouse located at the subject property. Section 24-48.24 of the Code of Miami-Dade County states that the prohibition of non-water-dependent structures shall not apply to fixed structures that were fully permitted before the effective date this Section, or to their repair, providing the required permits are obtained. Review of historical aerial photographs of the subject site indicate that the subject warehouse has been in existence since at least 1942. Therefore, the Department believes that the prohibition for non-water-dependent structures does not apply to the subject warehouse.

Furthermore, the proposed project also includes the replacement of an existing concrete platform, the replacement of sixty-one (61) linear feet of bulkhead in its existing location, and the installation of two (2) mooring dolphin pilings.

Mitigation for unavoidable impacts associated with replacement of the two (2) bulkhead segments (100 feet and 61 feet) will be provided through the placement of one hundred sixty-one (161) cubic yards of limestone riprap boulders at a DERM-approved artificial reef site.

DERM recommends that the proposed project be approved based on the following: 1) the applicant owns the subject submerged lands where the proposed work will take place, 2) excavation and replacement of one hundred (100) linear feet of bulkhead landward of its existing location will allow the applicant to re-align the existing bulkhead and provide greater berthing space in the federal channel, 3) the non-water-dependent structure has been associated with this property since at least 1942, prior to the Code prohibition on non-water-dependent fixed structures, 4) repairs to the warehouse location are not expected to impact environmental resources, as no significant benthic resources or seagrasses are present within the project area; and 5) the warehouse is aesthetically compatible with nearby marine facilities having similar upland structures adjacent to the bulkhead.

The proposed project has been designed in accordance with all relevant Miami-Dade County coastal construction criteria and is consistent with all other Miami-Dade County coastal protection provisions. Please find attached a DERM Project Report which sets forth the reasons why the project is recommended for approval by DERM pursuant to the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County, Florida. The conditions, limitations, and restrictions set forth in the Project Report attached hereto are incorporated herein by references hereto.

Attachments

- Attachment A: Class I Permit Application
- Attachment B: Affidavit of Ownership
- Attachment C: Owner/Agent Letter, Engineer Certification Letter and Project Sketches
- Attachment D: Zoning Memorandum
- Attachment E: Names and Addresses of Owners of All Riparian or Wetland Property Within Three Hundred (300) Feet of the Proposed Work
- Attachment F: Turbidity Control and Water Quality Monitoring Plan
- Attachment G: Submerged Lands Ownership Letter from the Applicant's Attorney
- Attachment H: Construction Methodology
- Attachment I: DERM Project Report

NOTICE OF PUBLIC HEARING ON AN APPLICATION BY MARILYN PROPERTIES, INC. FOR A CLASS I PERMIT TO EXCAVATE UPLANDS TO RELOCATE ONE HUNDRED (100) LINEAR FEET OF BULKHEAD LANDWARD OF ITS PRESENT LOCATION, REPAIR THE PILE FOUNDATION OF A NON-WATER-DEPENDENT FIXED STRUCTURE, REPLACE AN EXISTING CONCRETE PLATFORM, REPLACE SIXTY-ONE (61) LINEAR FEET OF EXISTING BULKHEAD AND INSTALL TWO (2) MOORING DOLPHIN PILINGS AT 745 N.W. 4 STREET, AND 341 AND 377 N.W. SOUTH RIVER DRIVE, MIAMI, MIAMI-DADE COUNTY, FLORIDA

BOARD OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

NOTICE IS HEREBY GIVEN pursuant to Article IV, Division 1 of Section 24-48 of the Code of Miami-Dade County that the Board of County Commissioners of Miami-Dade County will hold and conduct a Public Hearing on a request by the Marilyn Properties, Inc. for a Permit to excavate uplands to relocate one hundred (100) linear feet of bulkhead landward of its present location, repair the pile foundation of a non-water-dependent fixed structure, replace an existing concrete platform, replace sixty-one (61) linear feet of existing bulkhead and install two (2) mooring dolphin pilings at 745 N.W. 4 Street, and 341 and 377 N.W. South River Drive, Miami, Miami-Dade County, Florida. Such Public Hearing will be held on the day of _____, 2007, at 9:30 am o'clock, at the County Commission Chambers on the 2nd Floor of the Stephen P. Clark Center in Miami, Florida.

Plans and details concerning the work requested in the application may be reviewed by interested persons at the office of the Miami-Dade County Department of Environmental Resources Management, 6th Floor, 701 N.W. 1st Court, Miami, Florida 33136.

Oral statements will be heard and appropriate records made. For accuracy of records, all important facts and arguments should be prepared in writing in triplicate, with two copies being submitted to the Deputy Clerk of the County Commission at the hearing or mailed to her beforehand (Kay Sullivan, Deputy Clerk), 111 N.W. 1st Street, Stephen P. Clark Center, Suite 17-202, Miami, Florida 33128; and with one copy being submitted beforehand to the Miami-Dade County Department of Environmental Resources Management, 701 N.W. 1st Court, Miami, Florida 33136.

A person who decides to appeal any decision made by any Board, Agency, or Commission with respect to any matter considered at its meeting or hearing, will need a record of proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

BOARD OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

HARVEY RUVIN, CLERK

BY: _____
Kay Sullivan, Deputy Clerk

5



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: May 8, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 5(Z)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☒ No committee review

Approved _____ Mayor

Agenda Item No. 5(Z)

Veto _____

05-08-07

Override _____

RESOLUTION NO. _____

RESOLUTION RELATING TO AN APPLICATION BY MARILYN PROPERTIES, INC. FOR A CLASS I PERMIT TO EXCAVATE UPLANDS TO RELOCATE ONE HUNDRED (100) LINEAR FEET OF BULKHEAD LANDWARD OF ITS PRESENT LOCATION, REPAIR THE PILE FOUNDATION OF A NON-WATER-DEPENDENT FIXED STRUCTURE, REPLACE AN EXISTING CONCRETE PLATFORM, REPLACE SIXTY-ONE (61) LINEAR FEET OF EXISTING BULKHEAD AND INSTALL TWO (2) MOORING DOLPHIN PILINGS AT 745 N.W. 4 STREET, AND 341 AND 377 N.W. SOUTH RIVER DRIVE, MIAMI, MIAMI-DADE COUNTY, FLORIDA

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference ,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board having considered all the applicable factors contained within Section 24-48.3 of the Code of Miami-Dade County, hereby approves the application by Marilyn Properties, Inc. for a Class I Permit to excavate uplands to relocate one hundred (100) linear feet of bulkhead landward of its present location, repair the pile foundation of a non-water-dependent fixed structure, replace an existing concrete platform, replace sixty-one (61) linear feet of existing bulkhead and install two (2) mooring dolphin pilings, subject to the conditions set forth in the memorandum from the Director of the Miami-Dade County Department of Environmental Resources Management, a copy of which is attached hereto and made a part hereof. The issuance of this approval does not relieve the applicant from obtaining all applicable Federal, State, and local permits.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this
8th day of May, 2007. This resolution shall become effective ten (10) days after the date
of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only
upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Peter S. Tell

Attachment A
Class I Permit Application



RECEIVED

MAR 27 2007

Class I Permit Application

DERM
Environmental Resources Regulation Division

1. Application number

CC05-174

2. Date Day/Month/Year

3. For official Use only

4. Applicant information:

Name Marilyn Properties, Inc.

Address 1250 NE 133rd Street

North Miami, FL Zip Code 33161

Phone Number (305) 869-3715

5. Applicant's authorized permit agent

Name Mr. R. Harvey Sasso, President,
Coastal Systems International, Inc.

Address 464 South Dixie Highway

Coral Gables, Florida Zip Code 33146

Phone Number (305) 661-3655

6. Describe the proposed activity, its purpose and intended use, including a description of the type of structures, if any, to be erected on fills, or pipe or float-supported platforms, and the type, composition and quantity of materials to be discharged or dumped and means of conveyance.

- (A) Replace 100 linear feet of existing bulkhead landward of its existing location. Removal of existing upon completion of new. New 100 linear feet of bulkhead to be installed with a tie-rod system.
- (B) Replace the existing over-water, pile-supported concrete platform and adjust dimensions to maintain a consistent, uniform 5-foot width along the middle 165 linear feet of shoreline. Repairs to the pile foundations are proposed along the western 91 linear feet of this platform.
- (C) Replace 61 linear feet of bulkhead on the eastern end of the property less than 1-foot waterward of the existing bulkhead face. New 61 linear feet of bulkhead to be installed with a tie-rod system.
- (D) Installation of 2 free standing, pile supported mooring dolphins.

Dredged/Excavated

Filled/Deposited

Volume of Material 0 CY 0 CY 0 CY 0 CY
Waterward of O.N.W. or M.N.W. Landward of O.N.W. or M.N.W. Waterward of O.N.W. or M.N.W. Landward of O.N.W. or M.N.W.

7. Proposed Use: (Check One)

- ☐ Private
☐ Public
☒ Commercial
☐ Other (explain in remarks)

8. Names and addresses of adjoining property owners whose property also adjoins the waterway

Name Eller Media Company

Address 737 NW 4th Street

Miami, Florida Zip Code 33128

Name Enrique Bassas

Address 325 NW South River Drive

Miami, Florida Zip Code 33128

9. Location where proposed activity exists or will occur

Street Address 745 NW 4th Street; 377 NW South River Drive;
341 NW South River Drive

Miami

Latitude 25° 46' 40.66" N

Longitude 80° 12' 24.32" W

Section 38

Twp. 54S

Range 41E

10

State Florida County Miami-Dade In City or Town Miami Near City or Town _____

10. Name of waterway at location of the activity Miami River

11. Date Activity is proposed to commence 2007
Date Activity is expected to be completed 2007

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12. Is any portion of this activity for which authorization is sought now complete?

☐ Yes
☒ No

If answer is "yes" give answer in the remarks section

DERM
Environmental Resources Regulation Division

Month and year the activity was completed N/A
Indicate the existing work on the drawings _____

13. List approvals or certifications required by other Federal, interstate, state or local agencies for any structures, construction, discharges, deposits or other activities described in this application, including whether this project is a Development of Regional Impact.

Issuing agency	Type of Approval	Identification Number	Date of Application	Date of Approval
DEP	Joint ERP	13-0247971-	4/13/2005	6/20/2006
US Army Corps of Engineers	LOP	SAJ-2005-5014	4/13/2005	6/30/2006

14. Has any agency denied approval for any activity directly related to the activity described herein?

☐ Yes
☒ No

15. Remarks

16. Estimated project cost =
\$650,000


17. Contractor's name and address

Name: TBD
Address: _____

Zip Code _____
Phone Number _____

18. Application is hereby made for a permit or permits to authorize the activities described herein. I agree to provide any additional information that may be necessary to provide reasonable assurance or evidence to show that the proposed project will comply with the applicable State Water Quality Standards or other environmental protection standards both during construction and after the project is completed. I also agree to provide entry to the project site for inspectors from the environmental protection agencies for the purpose of making preliminary analyses of the site and monitoring permitted works, if permit is granted. I certify that I am familiar with the information contained in this application and that to the best of my knowledge and belief, such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.

Signature of owner

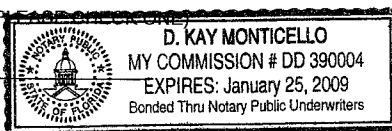

Date 3/20/07

Mr. Orin Black,
Vice President,
Marilyn Properties, Inc.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20th DAY OF March, 20 07, BY Orin T Black

☒ PERSONALLY KNOWN ☐ PRODUCED IDENTIFICATION (PLEASE CHECK ONE)

TYPE OF IDENTIFICATION PRODUCED: _____



D. Kay Monticello

NOTARY
PUBLIC

Attachment B
Affidavit of Ownership

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**Affidavit of Ownership
and Hold Harmless Agreement**

DERM
Environmental Resources Regulation Division

Personally Appeared Before Me, Mr. Orin Black, Vice President, Marilyn Properties, Inc., that undersigned authority, and hereby swears and affirms under oath as follows:

1. That your affiant is the record owner or lessee of that certain property* more fully described as:
Mr. Orin Black
Vice President, Marilyn Properties, Inc.
745 NW 4th Street; 377 NW South River Drive; 341 NW South River Drive
City of Miami, Miami-Dade County, Florida
*may attach legal description from public records or plat book or a copy of the warranty deed
2. That your affiant is also the riparian and/or littoral owner of that certain property that is the subject matter of Application No. CC05-174 for a Class I permit under and pursuant to Section 24-48 of the Code of Miami-Dade County to construct or engage in the following activity:
 - (A) Replace 100 linear feet of existing bulkhead landward of its existing location. Existing to be removed upon completion of new. New 100 linear feet of bulkhead to be installed with a tie-rod system.
 - (B) Replace the existing over-water, pile-supported concrete platform and adjust dimensions to maintain a consistent, uniform 5-foot width along the middle 165 linear feet of shoreline. Repairs to the pile foundations are proposed along the western 91 linear feet of this platform.
 - (C) Replace 61 linear feet of bulkhead on the eastern end of the property less than 1-foot waterward of the existing bulkhead face. New 61 linear feet of bulkhead to be installed with tie-rod system.
 - (D) Installation of 2 free standing, pile supported mooring dolphins.
3. That your affiant hereby swears and affirms its ownership or leasehold in the above noted property necessary for the work note in Paragraph 2 above, and hereby agrees to: defend same and hold the County harmless from any and all liability, claims and damages of any nature whatsoever occurring, including or arising as a result of your affiant not having the proper title to all lands or proper leasehold to all lands that are the subject matter of this application.

STATE OF FLORIDA
COUNTY OF DADE

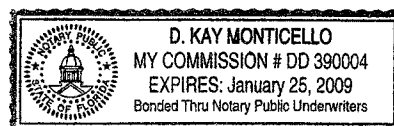

Owner/Applicant

Orin Black, Vice President
Marilyn Properties, Inc.

BEFORE ME, the undersigned authority, personally appeared Orin Black, who, after being duly sworn, deposes and says that he/she has read the foregoing, and that the statements contained therein are true and correct to the best of his/her knowledge and belief.

Sworn to and subscribed before me this 20th day of March, 2007.





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Show Me:

Property Information

Search By:

Select Item

Text only



Color Aerial Photography - 2004

Digital Orthophotography - 2003



Property Appraiser Tax Estimator

Summary Details:

Folio No.:	01-0200-010-3020
Property:	745 NW 4 ST
Mailing Address:	MARILYN PROP INC
	PO BOX 611808 NO MIAMI
	FL
	33261-

Property Information:

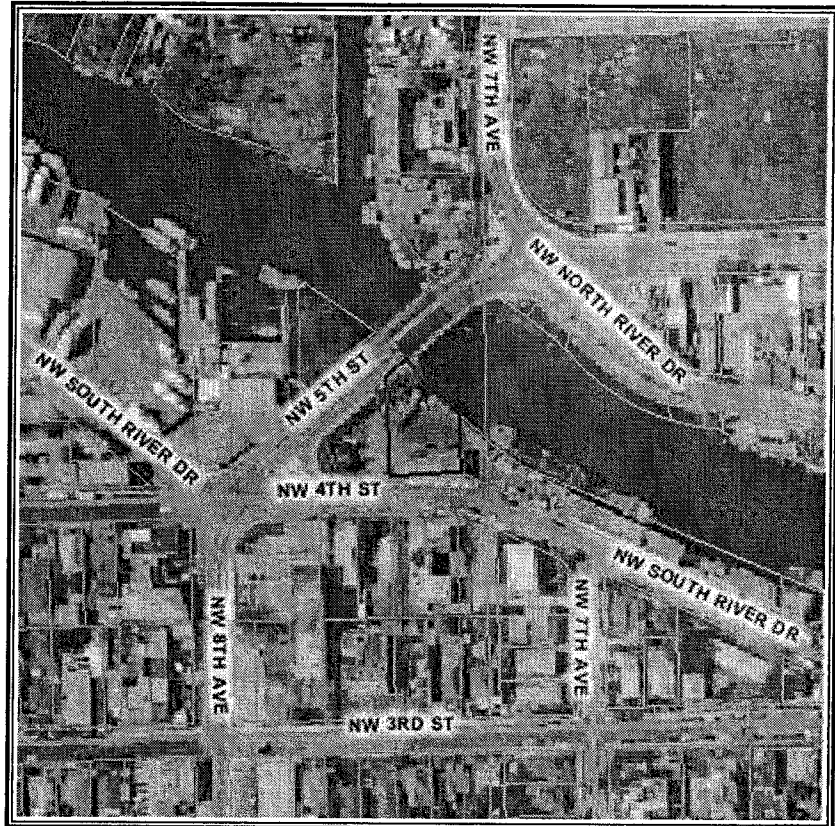
Primary Zone:	7703 MARINE ACTIVITY RELATED
CLUC:	0037 WAREHOUSE OR STORAGE
Beds/Baths:	0/0
Floors:	1
Living Units:	0
Adj Sq Footage:	3,467
Lot Size:	12,429 SQ FT
Year Built:	1948
Legal Description:	J C BAILES RE-SUB CITY OF MIAMI SOUTH PB 7-150 LOT 4 & RIPARIAN RIGHTS LOT 5 & RIPARIAN RIGHTS LOT SIZE 12429 SQUARE FEET OR 12475-3065 0385 5

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

Assessment Information:

Year:	2005	2004
Land Value:	\$435,015	\$310,725
Building Value:	\$76,547	\$70,215
Market Value:	\$511,562	\$380,940
Assessed Value:	\$511,562	\$380,940
Total Exemptions:	\$0	\$0
Taxable Value:	\$511,562	\$380,940



Aerial Photography - AirPhoto USA 2004

0 117 ft

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Digital Orthophotography - 2003



Property Appraiser Tax Estimator

Summary Details:

Folio No.:	01-0200-010-1071
Property:	341 NW SOUTH RIVER DR
Mailing Address:	MARILYN PROPERTIES INC
	PO BOX 611808 NO MIAMI
	FL
	33261-1808

Property Information:

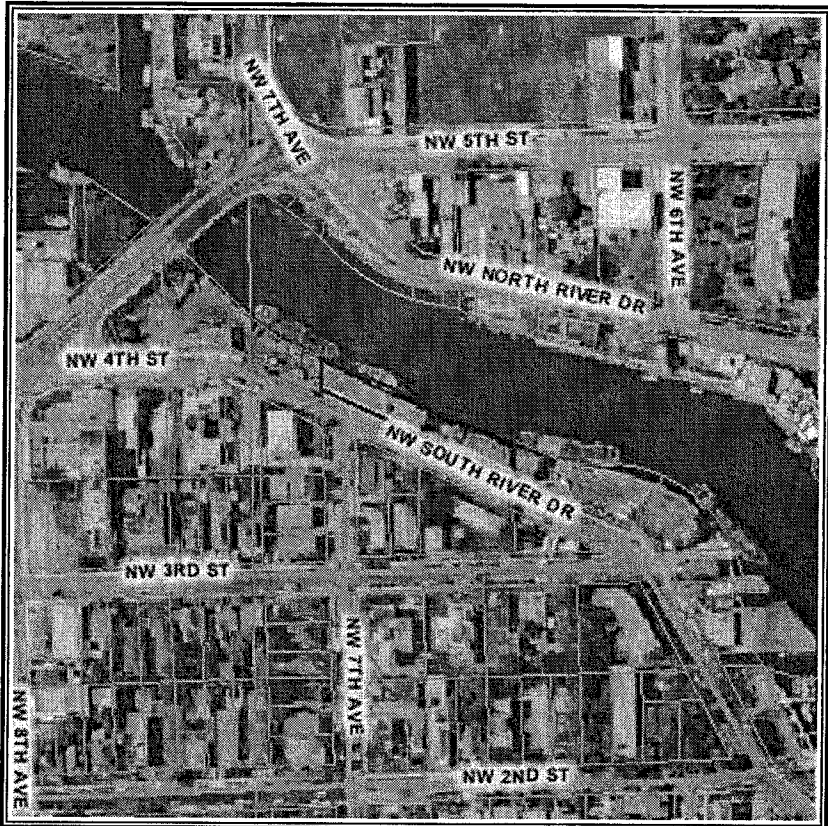
Primary Zone:	5000 MULTI-FAMILY, HIGH DENSITY RESIDENTIAL
CLUC:	0037 WAREHOUSE OR STORAGE
Beds/Baths:	0/0
Floors:	1
Living Units:	0
Adj Sq Footage:	7,898
Lot Size:	16,617 SQ FT
Year Built:	1942
Legal Description:	CITY OF MIAMI SOUTH PB B-41 STRIP OF LAND & RIP RTS AT FOOT OF NW 7 AVE ON S SIDE OF MIAMI RIVER BET BLKS 1 & 2 SOUTH & ST OPP LOT 3 & 4 & RIP RTS BLK 1 & LOT B PB 3-190

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

Assessment Information:

Year:	2005	2004
Land Value:	\$664,680	\$365,574
Building Value:	\$164,973	\$153,028
Market Value:	\$829,653	\$518,602
Assessed Value:	\$829,653	\$518,602
Total Exemptions:	\$0	\$0
Taxable Value:	\$829,653	\$518,602



Aerial Photography - AirPhoto USA 2004

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Select Item



Text only



Color Aerial Photography - 2004

Digital Orthophotography - 2003



Property Appraiser Tax Estimator

Summary Details:

Folio No.:	01-4138-044-1020
Property:	377 NW S RIVER DR
Mailing Address:	MARILYN PROP INC
	PO BOX 611808 NO MIAMI FL 33261-

Property Information:

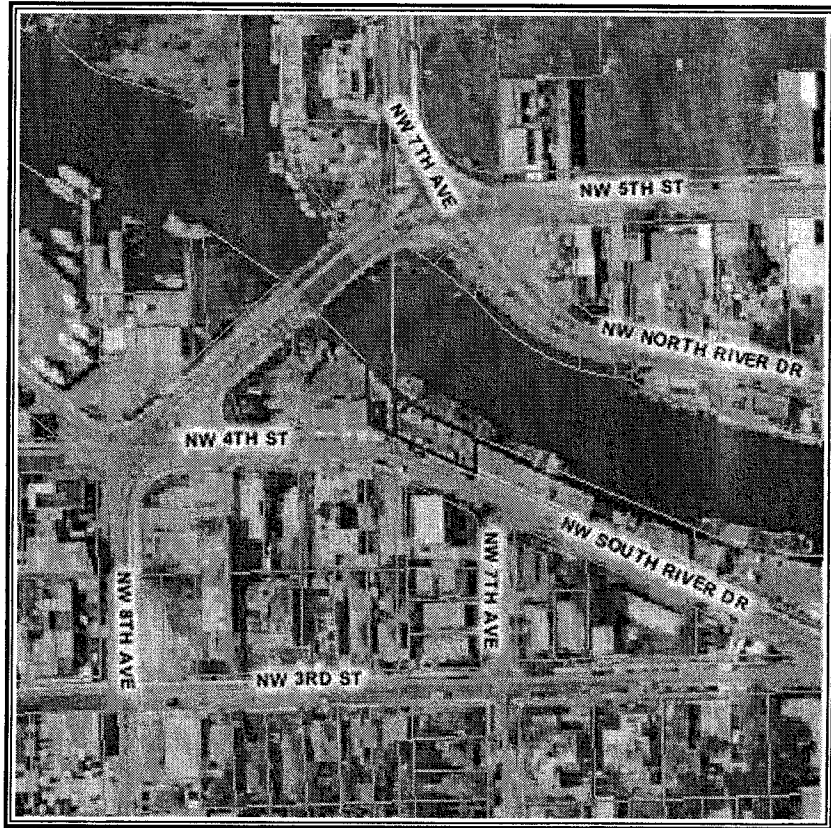
Primary Zone:	7703 MARINE ACTIVITY RELATED
CLUC:	0066 EXTRA FEATURE OTHER THAN PARKING
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	10,831 SQ FT
Year Built:	0
Legal Description:	CITY OF MIAMI SOUTH PB B-41 ST OF LAND LYG OPP LOTS 1 2 & 3 BET NW S RIV DR & MIA RIV WITH ALL RIP RTS BLK 2 LOT SIZE 10831 SQ FT OR 12475-3065 0385 5

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

Assessment Information:

Year:	2005	2004
Land Value:	\$270,775	\$270,775
Building Value:	\$17,250	\$25,658
Market Value:	\$288,025	\$296,433
Assessed Value:	\$288,025	\$296,433
Total Exemptions:	\$0	\$0
Taxable Value:	\$288,025	\$296,433



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0 116 ft

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Attachment C

**Owner/Agent Letter, Engineer Certification Letter and
Project Sketches**

PERMIT APPLICANT/ AUTHORIZED AGENT STATEMENT

Date: March 20, 2007

To:

Miami Dade County DERM
Class I Permitting Program
33 S.W. 2 Avenue, Suite 400
Miami, Florida 33130-1540

RECEIVED
MAR 27 2007

DERM
Environmental Resources Regulation Division

RE: CLASS I STANDARD FORM PERMIT APPLICATION NUMBER CC05-174, FOR REPLACEMENT OF 100 LINEAR FEET OF BULKHEAD LANDWARD OF EXISTING AND REMOVAL OF EXISTING, REPLACEMENT OF 61 LINEAR FEET OF SEAWALL WITH BULKHEAD LESS THAN 1 FOOT WATERWARD OF EXISTING, REPLACEMENT OF AN OVER-WATER CONCRETE PLATFORM WITH PILE FOUNDATION REPAIRS, AND INSTALLATION OF TWO FREE-STANDING PILE SUPPORTED MOORING DOLPHINS; LOCATED AT 745 NW 4TH STREET AND 341 & 377 NW SOUTH RIVER DRIVE IN THE CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA

By the attached Class I Standard Form permit application with supporting documents, I, Mr. Orin T. Black, Vice President of Marilyn Properties Inc. am the permit applicant applicant's authorized agent (circle one) and hereby request permission to perform the following:

- (A) Replacement of 100 linear feet of existing bulkhead landward of its existing location. Removal of existing upon completion of new. New 100 linear feet of bulkhead to be installed with a tie-rod system.
- (B) Replace the existing over-water, pile-supported concrete platform and adjust dimensions to maintain a consistent, uniform 5-foot width along the middle 165 linear feet of shoreline. Repairs to the pile foundations are proposed along the western 91 linear feet of this platform.
- (C) Replace 61 linear feet of bulkhead on the eastern end of the property less than 1-foot waterward of the existing bulkhead face.
- (D) Installation of 2 free standing pile supported mooring dolphins.

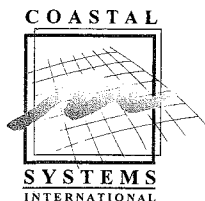
I understand that a Miami-Dade County Class I Standard Form Permit is required to perform this work.

If approval is granted for the proposed work by the Board of County Commissioners, complete and detailed plans and calculations of the proposed work shall be prepared by an engineer registered/licensed in the State of Florida in accordance with the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. Said plans and calculations shall be subject to the review and approval of the Department of Environmental Resources Management. The permit applicant will secure the services of an engineer registered/licensed in the State of Florida to conduct inspections throughout the construction period, and said engineer shall prepare all required drawings of record. For work which involves the cutting or trimming of a mangrove tree(s), a detailed plan for the proposed cutting or trimming shall be prepared by a licensed landscape architect and submitted to the Department for review and approval. The permit applicant will secure the services of a licensed landscape architect to supervise the trimming or cutting.

Respectfully submitted,



Orin T. Black, Vice President
Marilyn Properties, Inc.
Permit Applicant



COASTAL SYSTEMS INTERNATIONAL, INC.
464 South Dixie Highway • Coral Gables, Florida 33146
Tel: 305-661-3655 • Fax: 305-661-1914
www.coastalsystemsint.com

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DERM
Environmental Resources Regulation Division

April 25, 2007

Miami-Dade County DERM
Class I Permitting Program
33 S.W. 2nd Avenue, Suite 400
Miami, Florida 33130-1540

RE: CLASS I STANDARD FORM PERMIT APPLICATION NUMBER CC05-174, PROPOSED MARILYN PROPERTIES SITE IMPROVEMENTS PROJECT FOR REPLACEMENT OF 305 LINEAR FEET OF EXISTING BULKHEAD LANDWARD OF ITS EXISTING LOCATION, REPLACEMENT OF 61 LINEAR FEET OF SEAWALL, REPLACEMENT OF AN OVER-WATER CONCRETE PLATFORM WITH PILE FOUNDATION REPAIRS, AND INSTALLATION OF FREE-STANDING PILE CAPS; LOCATED AT 745 NW 4TH STREET AND 341 & 377 NW SOUTH RIVER DRIVE IN THE CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA

Ladies and Gentlemen:

This letter will certify that I am an engineer registered/certified in the State of Florida, qualified by education and experience in the area of construction, and that to the best of my knowledge and belief, the proposed work does not violate any laws of the State of Florida or any provision of the Code of Miami Dade County which may be applicable, that diligence and recognized standard practices of the engineering profession have been exercised in the engineer's design process for the proposed work, and in my opinion based upon my knowledge and belief, the following will not occur:

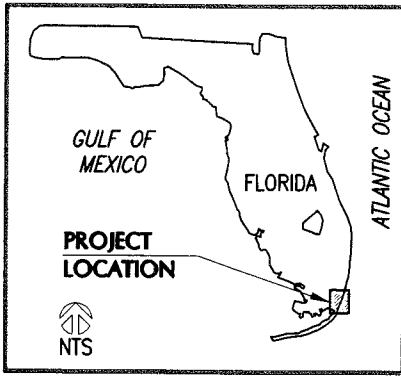
- a. Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- b. Harmful or increased erosion, shoaling of channels or stagnant areas of water. (Not applicable to class IV permits).
- c. Material injury to adjacent property.
- d. Adverse environmental impacts from changes in water quality or quantity. (Applicable to class IV permits only).

Further, I have been retained by the applicant to provide inspections throughout the construction period and shall prepare a set of reproducible record prints of drawings showing changes made during the construction process based upon the marked-up prints, drawings, and other data furnished by the contractor to me.

Sincerely,
Coastal Systems International, Inc.
FL EB #7687

Timothy K. Blankenship, P.E.
FL Reg. 55910

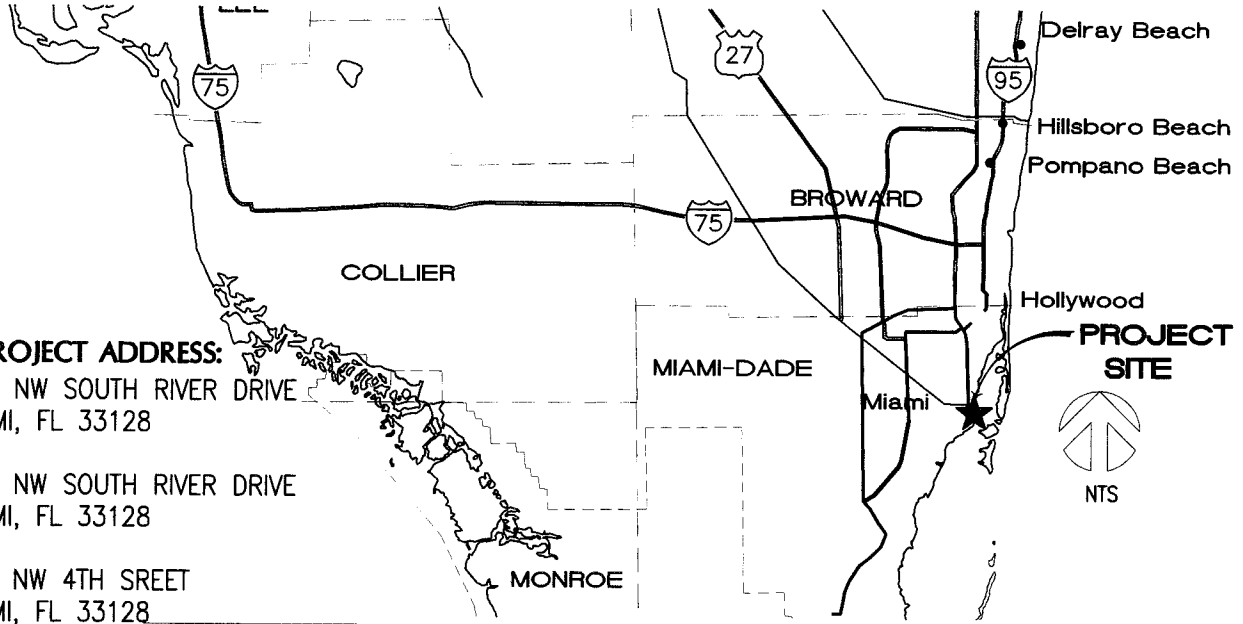
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SHEET INDEX:

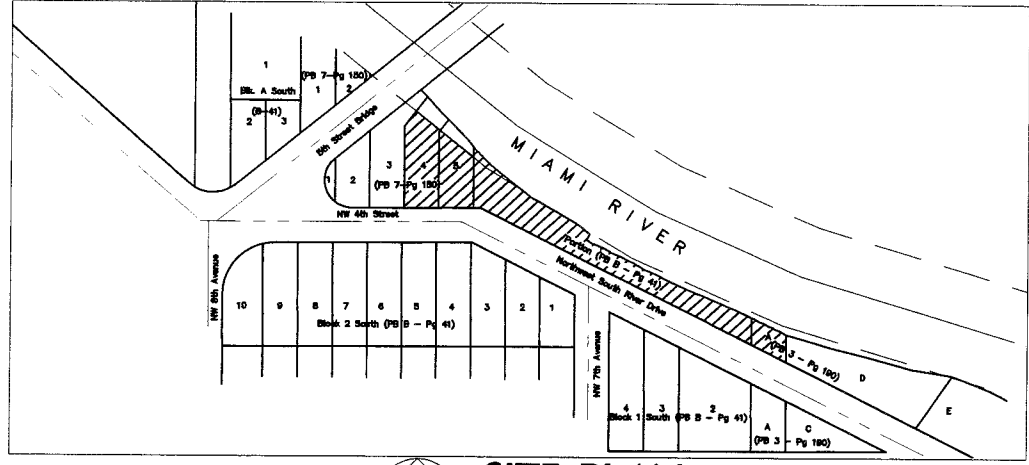
1. LOCATION MAP
2. EXISTING CONDITIONS
3. DEMOLITION PLAN
4. TURBIDITY CURTAIN CONNECTION DETAIL
5. PROPOSED PLAN
6. PROPOSED PLATFORM PLAN
7. SECTION A
8. SECTION B
9. SECTION C
10. SECTION D
11. PROPOSED MOORING DOLPHIN
12. GENERAL NOTES



PROJECT ADDRESS:
341 NW SOUTH RIVER DRIVE
MIAMI, FL 33128

377 NW SOUTH RIVER DRIVE
MIAMI, FL 33128

745 NW 4TH SREET
MIAMI, FL 33128



SITE PLAN
NTS

K. BLANKENSHIP
FL REG. 55910
[Signature]
MAR 23 2007



MARILYN PROPERTIES, INC
1250 NE 133rd ST
NORTH MIAMI, FL 33161

COASTAL SYSTEMS INTERNATIONAL, INC.
464 South Dixie Highway, Coral Gables, Florida 33146
Tel: 305/661-3655 Fax: 305/661-1914 www.CoastalSystemsInt.com
STATE OF FLORIDA EB #7087
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MIAMI RIVER MARINE TERMINAL FACILITY IMPROVEMENTS			
LOCATION MAP			
JOB:	232800	DATE:	09/28/06
BY:	MJP	SHEET	1 OF 12

X = 917130.67
Y = 525846.28

X = 917271.48
Y = 525718.09

NW SOUTH RIVER DRIVE

26' ±

EXISTING BUILDING

EXISTING BULKHEAD AND TERMINAL

EBB
FLOOD

MIAMI RIVER

EDGE OF CHANNEL

APPROX. SHORELINE UNDER BUILDING

EXISTING WAREHOUSE

EXISTING REVETMENT

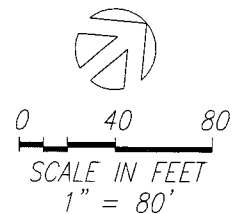
EXISTING BUILDING

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NOTES:

MHW RUNS UP TO
EXISTING BULKHEAD



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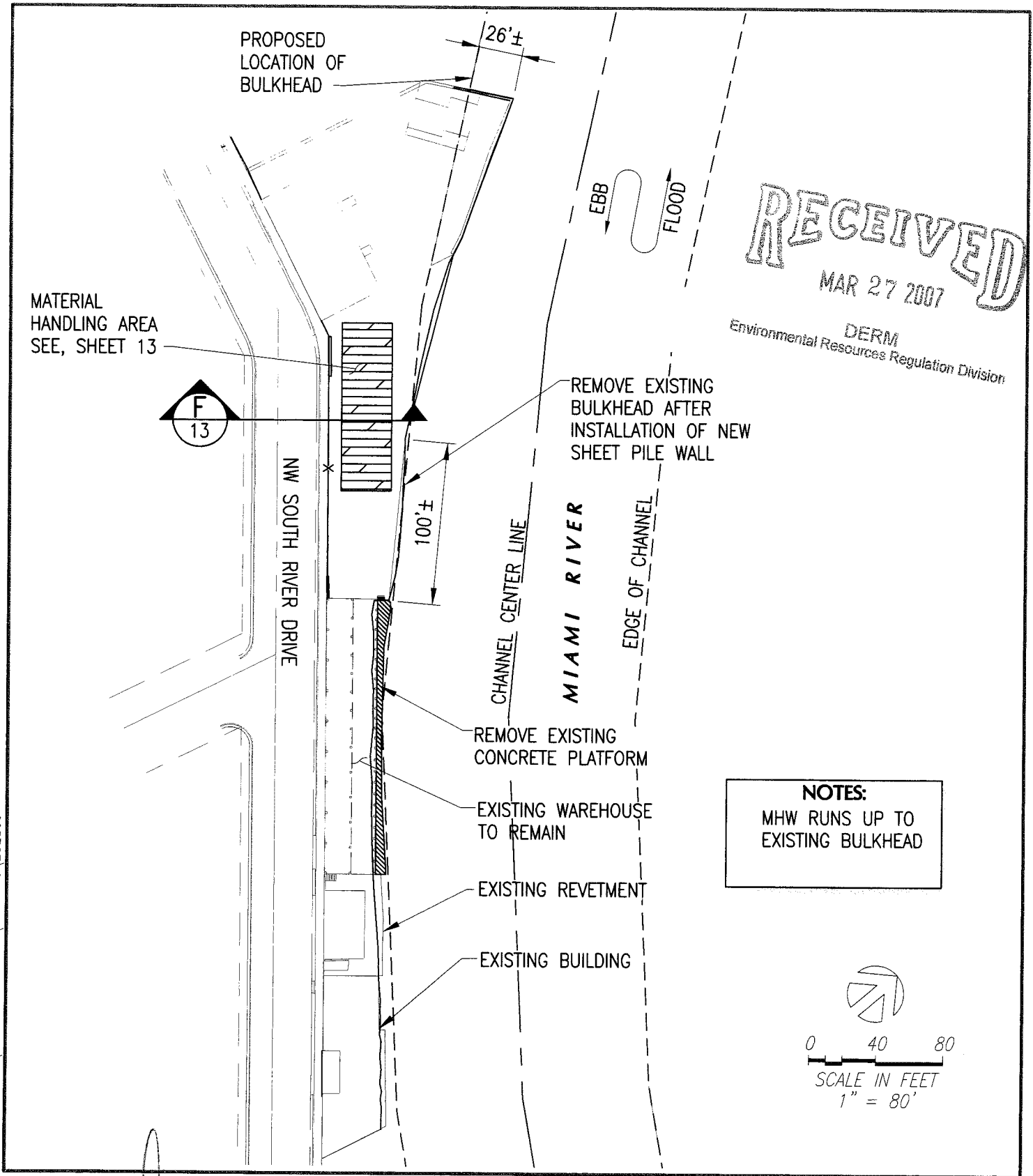
MIAMI RIVER MARINE TERMINAL
FACILITY IMPROVEMENTS

EXISTING CONDITIONS

JOB: 232800	DATE: 09/28/06
BY: MJP	SHEET 2 OF 12

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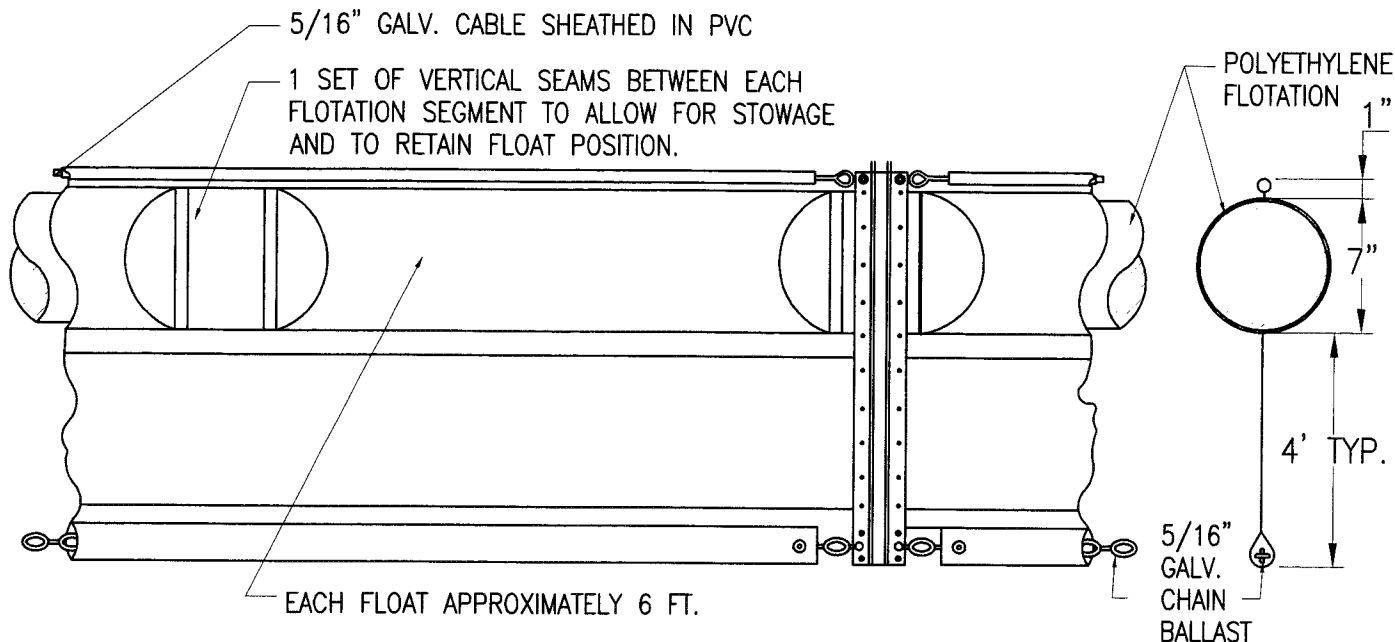


MARILYN PROPERTIES, INC
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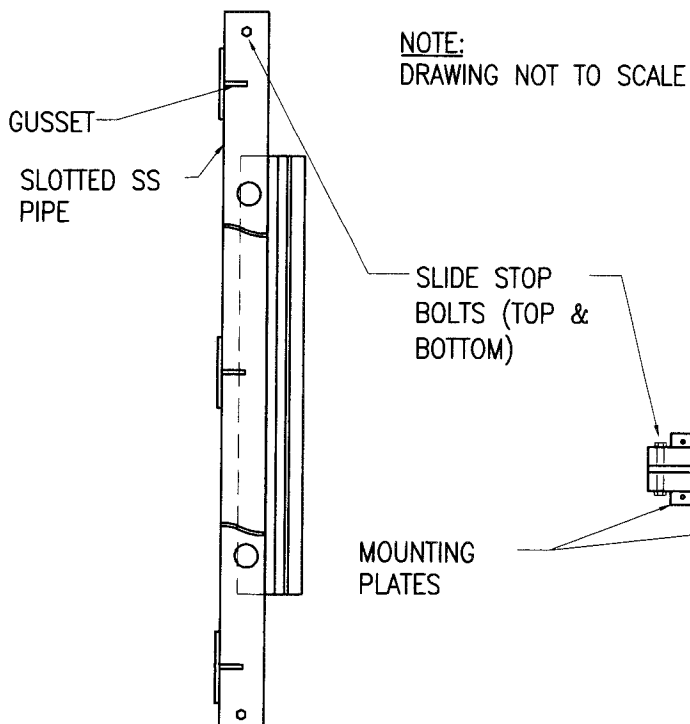
MIAMI RIVER MARINE TERMINAL FACILITY IMPROVEMENTS	
DEMOLITION PLAN	
JOB: 232800	DATE: 09/28/06
BY: MJP	SHEET 3 OF 12

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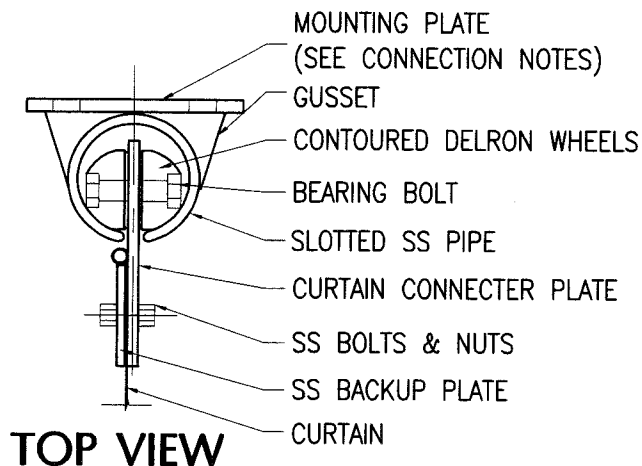


BOOM ELEVATION

BOOM SECTION



SIDE VIEW



TOP VIEW



FRONT VIEW

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MIAMI RIVER MARINE TERMINAL
FACILITY IMPROVEMENTS

TURBIDITY CURTAIN CONNECTION DETAIL

JOB: 232800	DATE: 09/28/06
BY: MJP	SHEET 4 OF 12

23

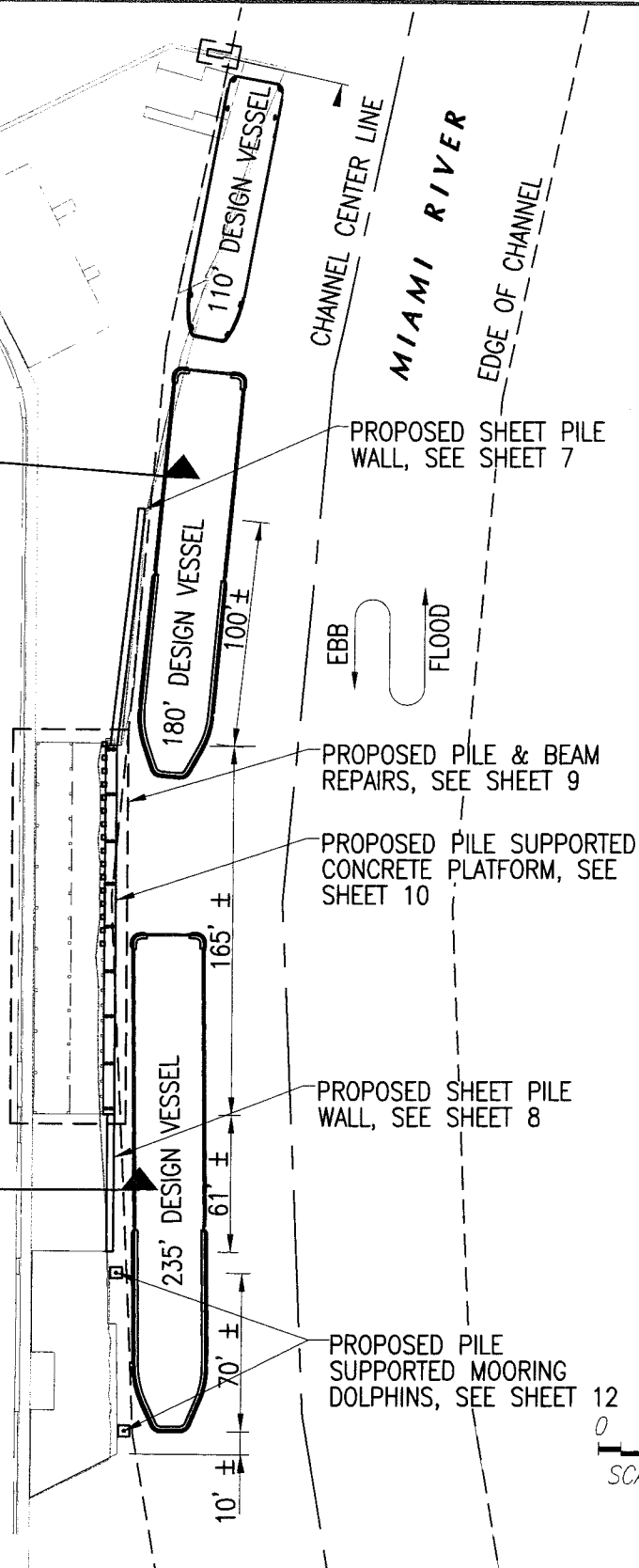
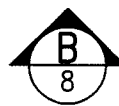
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NOTES:

1. VESSELS SHOWN ARE FOR PRESENTATION, NOT DEDICATED SLIP MIX.
2. 1 LINE OF RIPRAP TO EXTEND BEYOND PROPOSED WALL AND BENEATH PLATFORM



12
0 40 80
SCALE IN FEET
1" = 80'

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**MIAMI RIVER MARINE TERMINAL
FACILITY IMPROVEMENTS**

PROPOSED PLAN

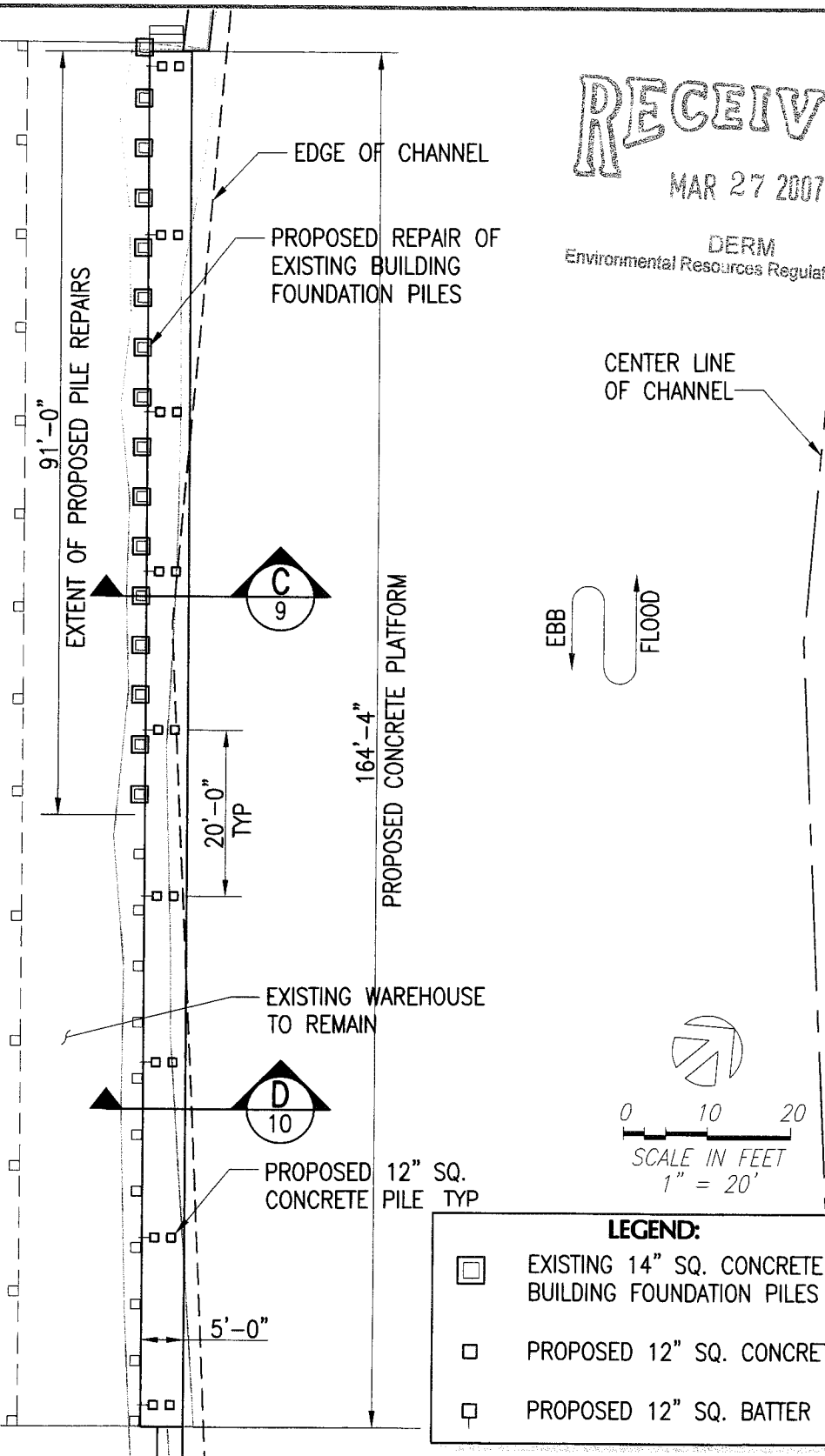
JOB: 232800	DATE: 09/28/06
BY: MJP	SHEET 5 OF 12

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MIAMI RIVER MARINE TERMINAL
FACILITY IMPROVEMENTS

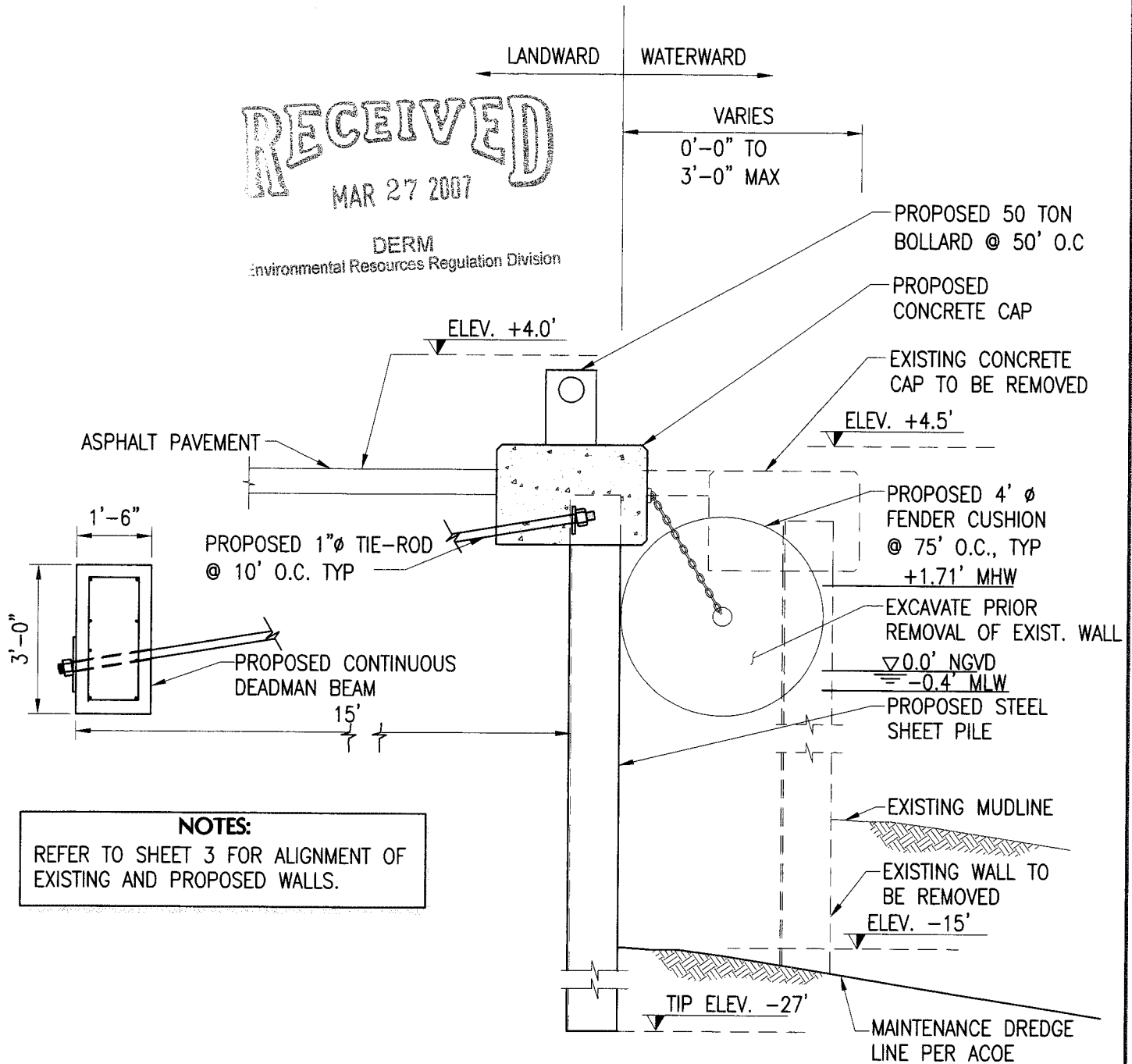
PROPOSED PLATFORM PLAN

JOB: 232800	DATE: 09/28/06
BY: MJP	SHEET 6 OF 12

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A

SECTION - PROPOSED SHEET PILE WALL

1" = 3'

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MIAMI RIVER MARINE TERMINAL
FACILITY IMPROVEMENTS

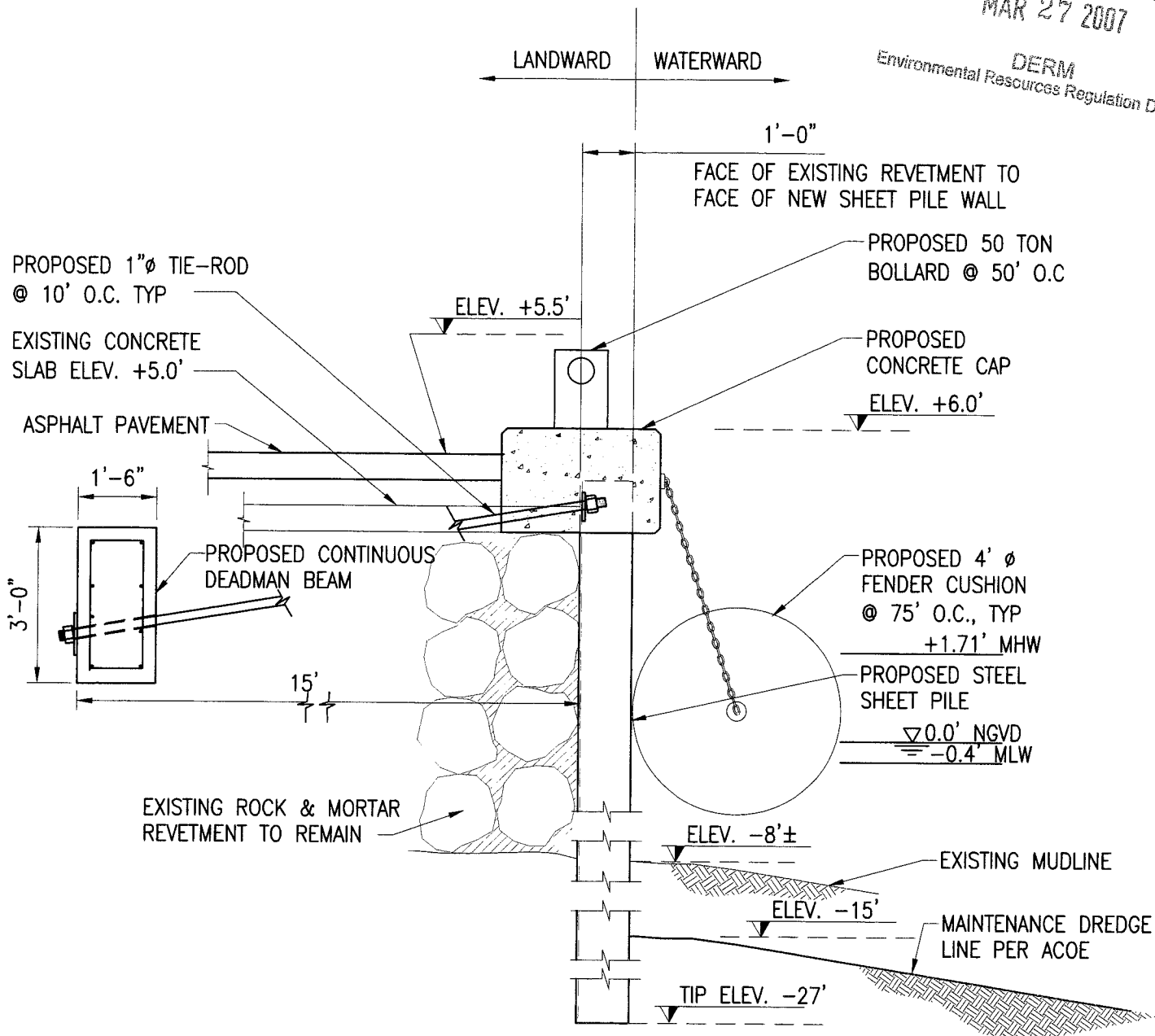
SECTION A

JOB: 232800	DATE: 09/28/06
BY:	SHEET 7 OF 12

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B SECTION - PROPOSED SHEET PILE WALL
1" = 3'

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MAR 28 2007



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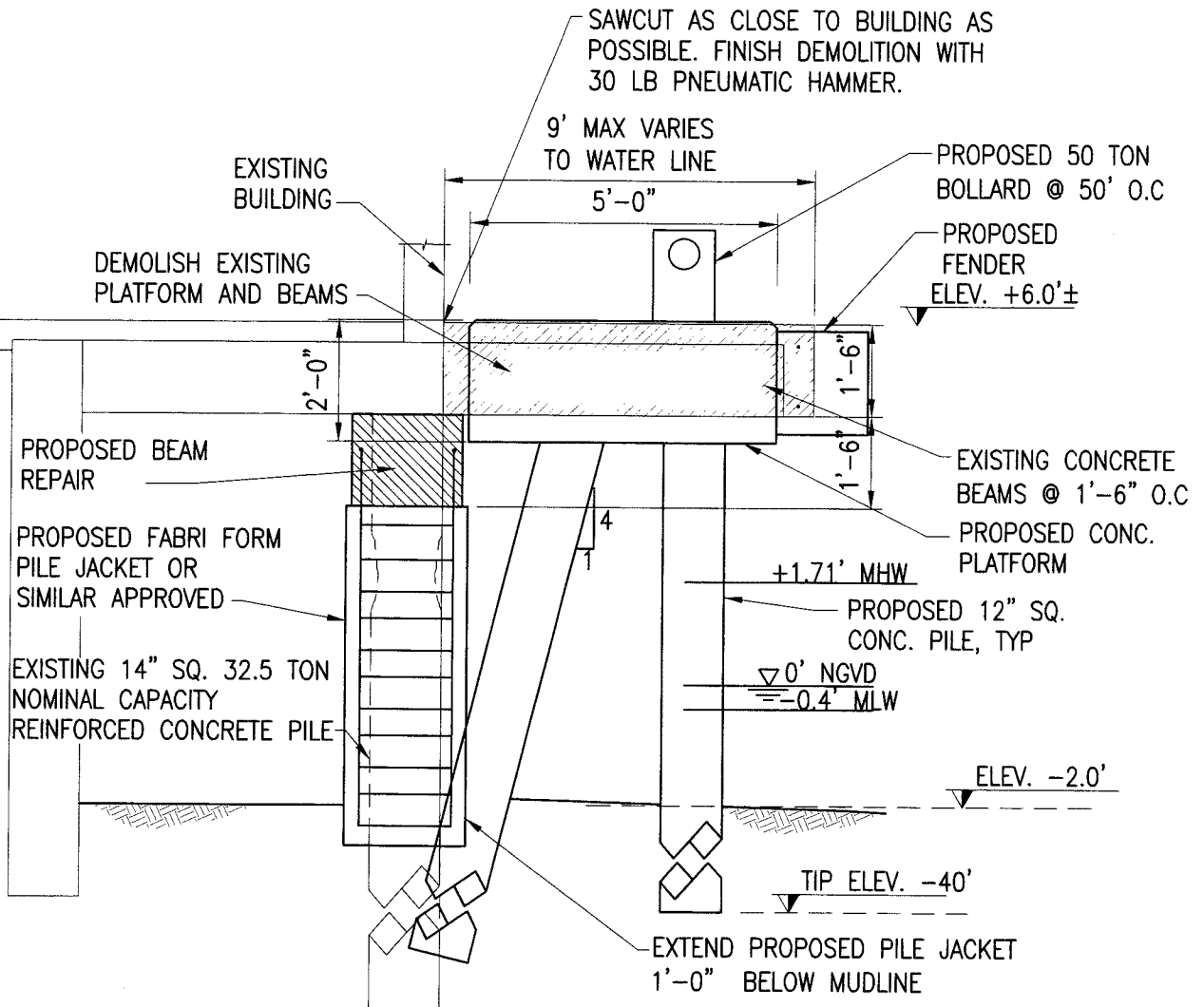
MIAMI RIVER MARINE TERMINAL
FACILITY IMPROVEMENTS

SECTION B

JOB: 232800	DATE: 09/28/06
BY:	SHEET 8 OF 12

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(C) SECTION - PROPOSED PILE FOUNDATION REPAIR & CONCRETE PLATFORM
SCALE 1" = 3'

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FACILITY IMPROVEMENTS

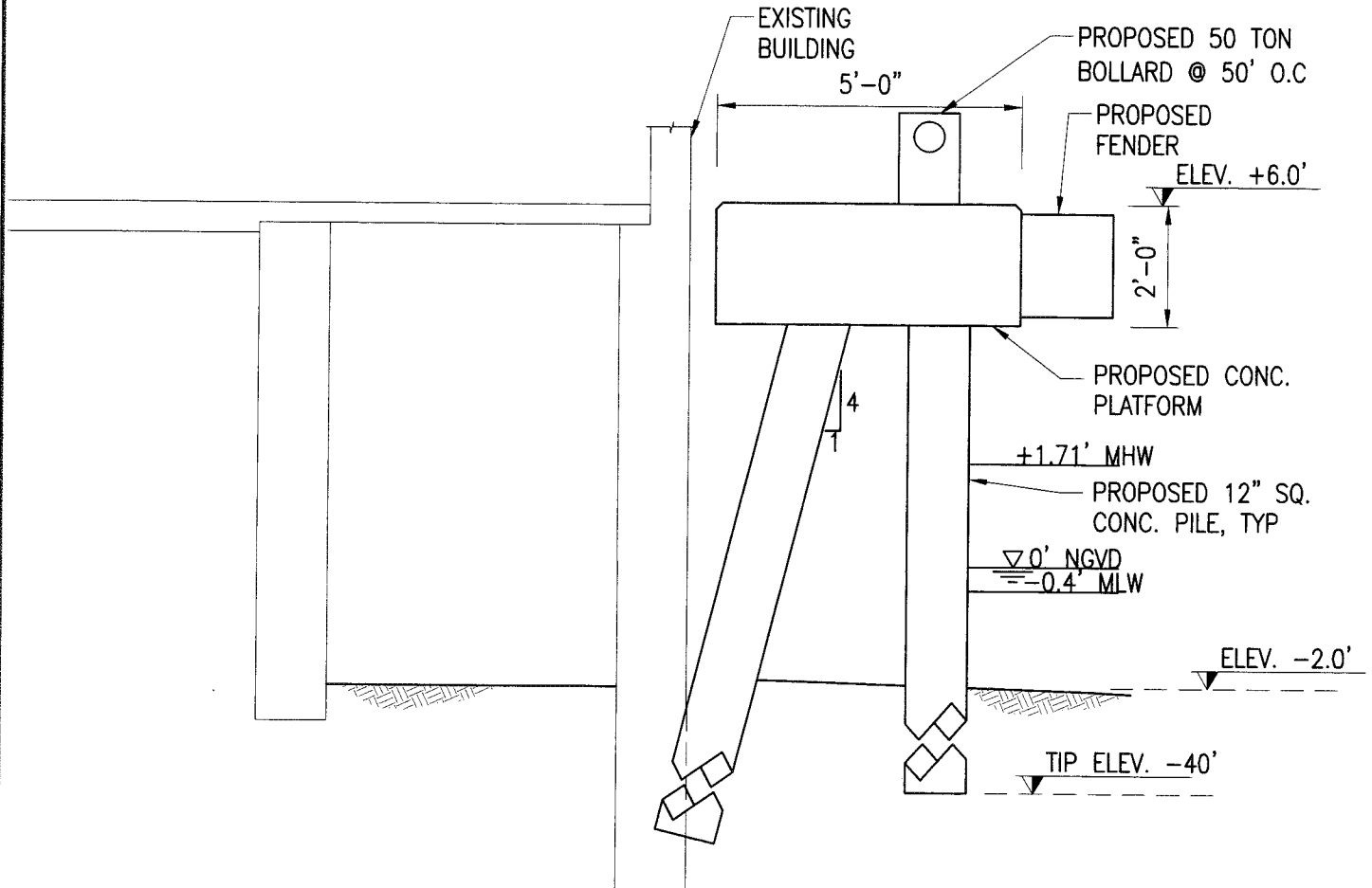
SECTION C

JOB: 232800	DATE: 09/28/06
BY: MJP	SHEET 9 OF 12

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D SECTION - PROPOSED CONCRETE PLATFORM
1" = 3'

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2007



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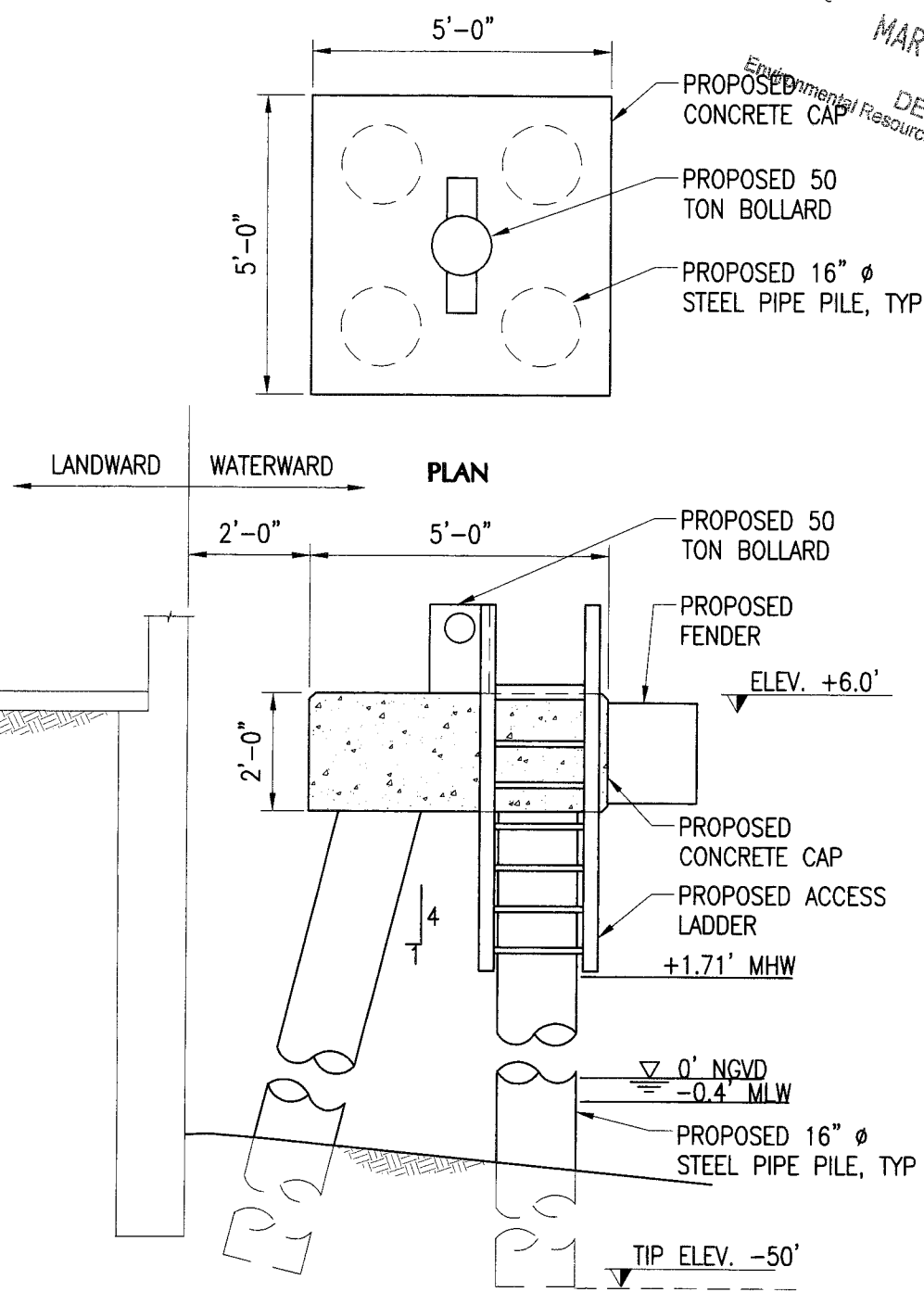
MIAMI RIVER MARINE TERMINAL
FACILITY IMPROVEMENTS

SECTION D

JOB: 232800	DATE: 09/28/06
BY: MJP	SHEET 10 OF 12

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E SECTION - PROPOSED MOORING DOLPHIN
1" = 3'

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T.K. BLANKENSHIP
FL REG 55970
[Signature]
MAR 28 2007



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MIAMI RIVER MARINE TERMINAL FACILITY IMPROVEMENTS	
PROPOSED MOORING DOLPHIN	
JOB: 232800	DATE: 09/28/06
BY:	SHEET 11 OF 12

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GENERAL NOTES

1. ALL ELEVATIONS ARE REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929. TIDAL DATUM RELATIONSHIP TO NGVD ARE REFERENCED TO US ARMY CORPS OF ENGINEERS MIAMI RIVER MAINTENANCE DREDGING CONSTRUCTION PLANS DATED DECEMBER, 2000.
2. HYDROGRAPHIC SURVEY INFORMATION OBTAINED FROM CORPS OF ENGINEERS (SEE NOTE 1).
3. UPLAND SURVEY AND SUBMERGED LAND INFORMATION OBTAINED FROM SCHWEBKE - SHISKIN & ASSOCIATES INC., DATED NOVEMBER 1, 2004.
4. CONSTRUCTION WILL REQUIRE FLOATING EQUIPMENT.
5. THESE DRAWINGS ARE "PERMIT SKETCHES" INTENDED TO PROVIDE SUFFICIENT DATA FOR REVIEW AND EVALUATION BY REGULATORY AGENCIES. THESE DRAWINGS ARE NOT INTENDED FOR CONSTRUCTION.
6. AS-BUILT INFORMATION PROVIDED BY COASTAL SYSTEMS; SURVEYS CONDUCTED ON 15 MARCH, 2005.
7. NO MARINE RESOURCE IMPACTS ARE PROPOSED.

ABBREVIATIONS

C.Y. _____ CUBIC YARDS
 TYP. _____ TYPICAL
 NOS. _____ NATIONAL OCEAN SERVICE
 NAD _____ NORTH AMERICAN DATUM
 _____ WATER LEVEL

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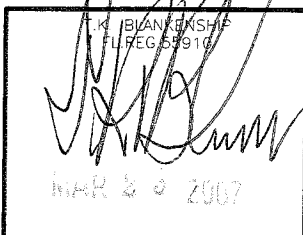
MAR 27 2007

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MARINE WORKS CONSTRUCTION QUANTITY ESTIMATE

DESCRIPTION	QUANTITY	UNIT
PROPOSED STEEL SHEET PILE BULKHEAD	161±	L.F.
PROPOSED CONC. PLATFORM	821	S.F.
PROPOSED 12" SQ. CONC. PILES	18	EA.
PROPOSED MOORING DOLPHINS	2	EA.
PROPOSED 16"Ø PIPE PILES	8	EA.

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MARILYN PROPERTIES, INC

1250 NE 133rd ST
NORTH MIAMI, FL 33161

COASTAL SYSTEMS INTERNATIONAL, INC.

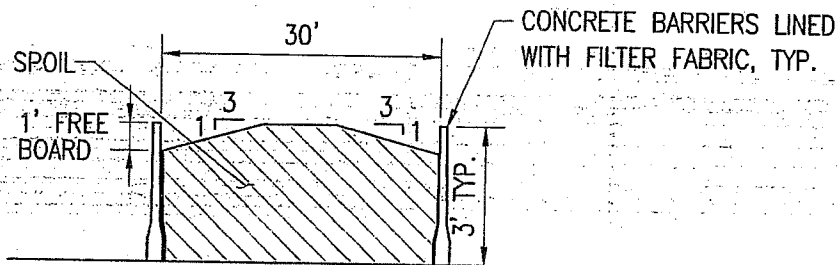
464 South Dixie Highway, Coral Gables, Florida 33146
Tel: 305/661-3655 Fax: 305/661-1914 www.CoastalSystemsInt.com
STATE OF FLORIDA EB #7087

Coastal, Environmental, Civil Engineering and Management

MIAMI RIVER MARINE TERMINAL
FACILITY IMPROVEMENTS - PHASE I

GENERAL NOTES

JOB: 232800	DATE: 2/26/07
BY: GS	SHEET 12 OF 12

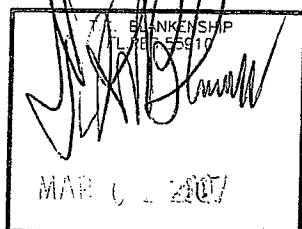


B SECTION - MATERIAL HANDLING
 HORIZONTAL SCALE 1" = 20'
 VERTICAL SCALE 1" = 5'

EXCAVATED MATERIAL HANDLING NOTES:

1. EXCAVATED MATERIAL WILL BE PLACED INTO THE MATERIAL HANDLING AREA FOR DRYING AND LOADING ONTO DUMP TRUCKS FOR HAULING OFF SITE.
2. THE HANDLING AREA WILL BE CONFIGURED WITH STACKED CONCRETE BARRIERS AND FILTER CLOTH AND CONFIGURED/RELOCATED AS NECESSARY FOR CONSTRUCTION STAGING.
3. THE BARRIERS AND FILTER CLOTH WILL PREVENT DISCHARGE FROM EXCAVATED MATERIAL PLACED IN THE MATERIAL HANDLING AREA.
4. TRUCKING WILL BE SCHEDULED TO OPTIMIZE DRYING TIME AND TO MAINTAIN PRODUCTION WITH EXCAVATION OPERATIONS.

232800\PERMIT SKETCHES\WORKING\232800



MARILYN PROPERTIES, INC
 1250 NE 133rd ST
 NORTH MIAMI, FL 33161



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MIAMI RIVER MARINE TERMINAL
 FACILITY IMPROVEMENTS - PHASE II

MATERIAL HANDLING DETAIL

JOB: 232800	DATE: 3/1/07
BY: GS	SHEET 8 OF 9

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Attachment D
Zoning Memorandum

Memorandum



Date: March 28, 2007

To: Luis C. Otero, Manager
Coastal Resources
Environmental Resources Management

From: Muriel M. Blaisdell, ERPS
Coastal Resources
Environmental Resources Management

Subject: Class I Permit Application by Marilyn Properties, Inc. to Excavate and Replace 105 Linear Feet of Bulkhead Landward of its Existing Location, Pile Foundation Repairs on a Non-Water-Dependent Structure, Concrete Platform Replacement, Bulkhead Replacement, and Installation of Pile-supported Mooring Dolphins

Pursuant to Section 24-48.2(II)(A)(7), Code of Miami-Dade County, Florida, a substantiating letter shall be submitted by the applicant stating that the proposed project does not violate any zoning laws. Said letter will be submitted after approval by the Miami-Dade County Board of County Commissioners and prior to issuance of the Class I Permit.

Attachment E

**Names and Addresses of Owners of All Riparian or Wetland
Property Within Three Hundred (300) Feet of the Proposed
Work**

Joel C. Parks
1631 NW South River Drive
Miami, FL 33125

Eller Media Company
2850 E. Camelback Ste 300
Phoenix, AZ 85016

Enrique Bassas
420 NW 132nd Ave
Miami, FL 33182

36

Attachment F

Turbidity Control and Water Quality Monitoring Plan

Turbidity Control and Water Quality Monitoring Plan

Marilyn Properties, Inc.

Revised April 6, 2005

TURBIDITY CONTROL

Best management practices for turbidity and erosion control shall be implemented and maintained at all times during construction to prevent siltation, turbid discharges, and degraded water quality in excess of background levels of the Miami River. Methods include staged construction, and the installation of turbidity barriers and erosion control devices around active construction areas.

Turbidity Barriers and Erosion Control Devices/Staging

1. Turbidity control measures within the submerged lands during construction will be implemented to minimize potential transfer of suspended sediments into the water column adjacent to the construction of the concrete platform and new bulkhead, where necessary. Turbidity barriers/curtains will be anchored with concrete blocks or other anchoring devices to stabilize the curtain. The turbidity barriers will remain in place, as necessary, until construction of the concrete platform/bulkhead is complete. All barge operations will be conducted within the turbidity curtain and/or from the uplands.

Erosion Control Maintenance

1. In-water turbidity barriers shall be inspected daily and maintained as necessary during construction.

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NATURAL RESOURCES DIV

Attachment G

**Submerged Lands Ownership Letter From Applicant's
Attorney**

MIAMI-DADE COUNTY-DEPARTMENT OF
ENVIRONMENTAL RESOURCES MANAGEMENT
OPINION OF TITLE

RECEIVED
APR 27 2007

TO: MIAMI-DADE COUNTY, a political subdivision of the State of Florida.

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Environmental Resources Regulation Division

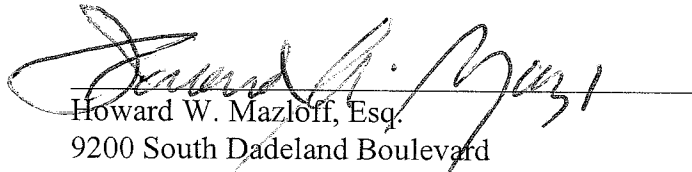
With the understanding that this opinion of title is furnished to **MIAMI-DADE COUNTY, FLORIDA**, as an inducement to issue Permit No: CC05-174. It is hereby certified that I have examined the complete Abstract of Title which term for the purpose hereof means and refers to Mortgagee Title Insurance Policy number MP-346921 dated 12/28/04, issued by Attorney's Title Insurance Fund completely covering the period from the BEGINNING to December 28, 2004 A.D. , at 10:53 a.m. updated by Attorney's Title Insurance Data System search to April 27, 2007 at 10:35a.m., inclusive, of the following described real property:

ATTACHED AS EXHIBIT "A"

Basing my opinion on said complete search covering said period I am of the opinion that on the last mentioned date the fee simple title to the above described real property was vested in:

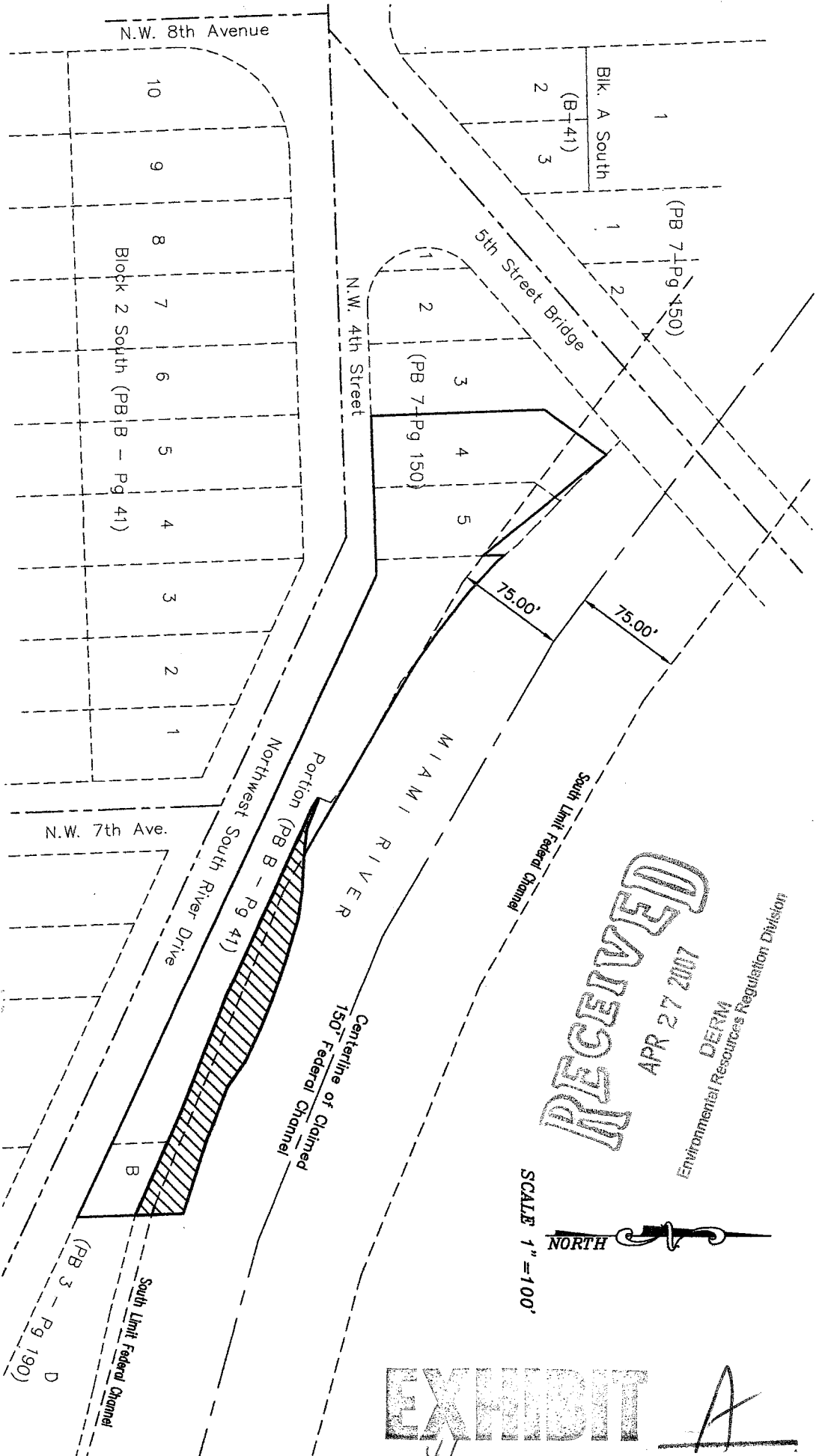
MARILYN PROPERTIES, INC.

Respectively submitted this 27th day of April, 2007.


Howard W. Mazloff, Esq.
9200 South Dadeland Boulevard
Suite 420
Miami, Florida 33156
Florida Bar No. 138107

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LOCATION MAP PRIVATE SUBMERGED LANDS



Schubbe Shipin & Associates, Inc.

LAND SURVEYORS-ENGINEERS-LAND PLANNERS - 3240 CORPORATE WAY-MIRAMAR, FL 33025
PHONE NO. (954) 435-7010 FAX NO. (954) 438-3288

ORDER NO. 193654
DATE: FEB. 01, 2007
PREPARED UNDER MY SUPERVISION:

THIS IS NOT A "BOUNDARY SURVEY"
CERTIFICATE OF AUTHORIZATION No. LB-87

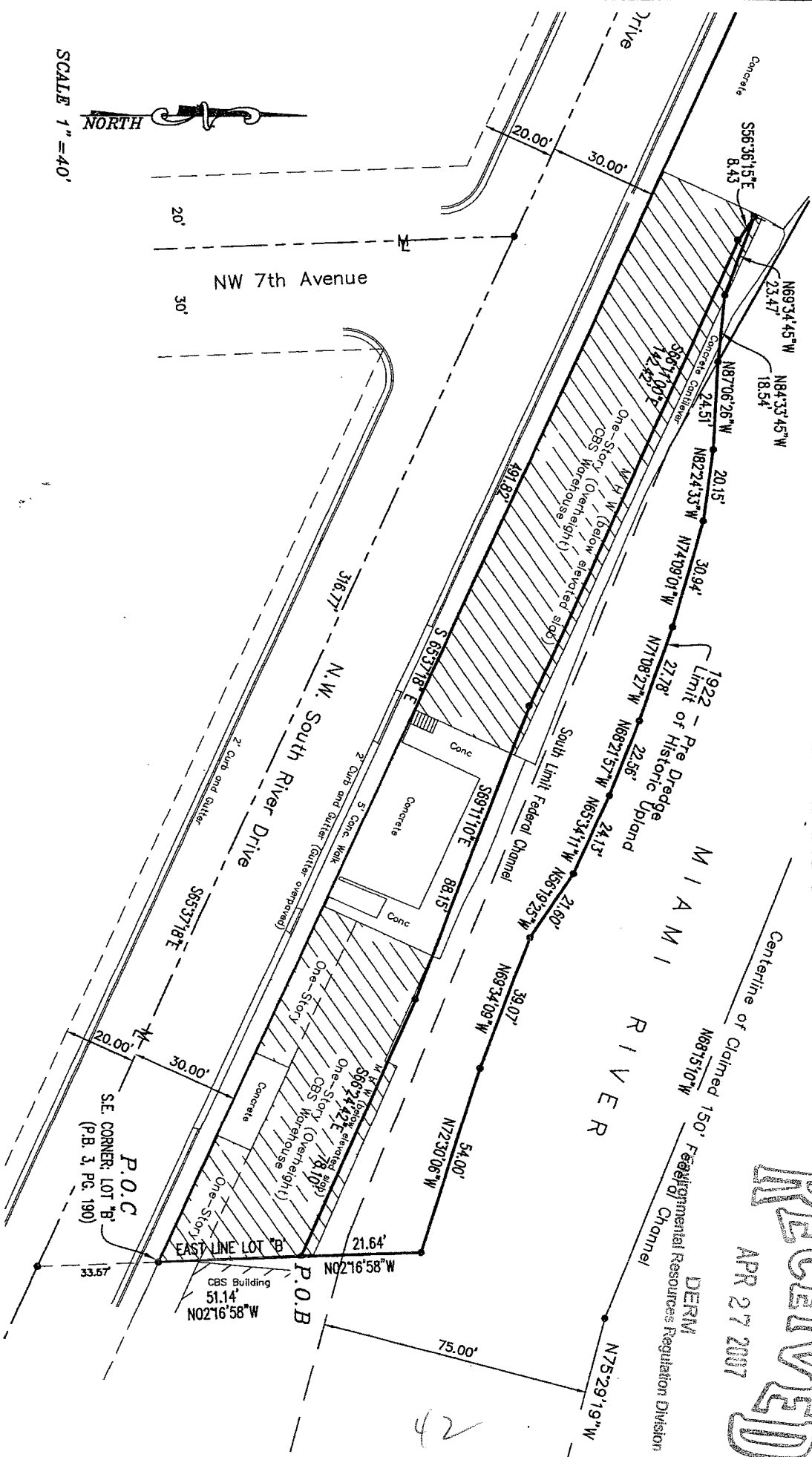
MARK STEVEN JOHNSON VICE-PRESIDENT
FLORIDA PROFESSIONAL LAND SURVEYOR No. 4775

REVISIONS

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PRIVATE SUBMERGED LANDS

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APR 27 2007
DERM
Environmental Resources Regulation Division



SCALE 1"=40'



Schubbe-Shiskin & Associates, Inc.
LAND SURVEYORS-ENGINEERS-LAND PLANNERS - 3240 CORPORATE WAY-MIRAMAR, FL 33025
PHONE No.(954)435-7010 FAX No. (954)438-3288
ORDER NO. 193654
DATE: FEB. 01, 2007
THIS IS NOT A " BOUNDARY SURVEY"
CERTIFICATE OF AUTHORIZATION No. LB-87

MARK STEVEN JOHANSON VICE-PRESIDENT
FLORIDA PROFESSIONAL LAND SURVEYOR No. 4775

REVISIONS

LEGEND:

P.O.C. DENOTES POINT OF COMMENCEMENT
P.O.B. DENOTES POINT OF BEGINNING
P.B. DENOTES PLAT BOOK
PG. DENOTES PAGE
M DENOTES MONUMENT LINE

LEGAL DESCRIPTION TO ACCOMPANY SKETCH

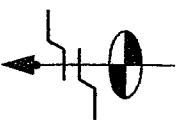
PRIVATE SUBMERGED LANDS

A PORTION OF LOT B, "SILVERSON AND TATUM'S SUBDIVISION, LOT 1, BLOCK 1 SOUTH AND VICINITY CITY OF MIAMI" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3 AT PAGE 190 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND A PORTION OF A STRIP OF LAND LYING BETWEEN LOT FIVE (5), RE-SUBDIVISION OF LOT 4, 5 AND 6 OF BLOCK "A", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7 AT PAGE 150 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND SAID LOT B WHICH LIES NORTH OF THE MEAN HIGH WATER LINE AND SOUTH OF THE CENTERLINE OF CLAIMED 150 FEET OF FEDERAL CHANNEL OF THE MIAMI RIVER (AS SHOWN ON THE U.S. ENGINEER OFFICE MAP "MIAMI RIVER FLA. CONDITIONS ON COMPLETION OF DREDGING OF CHANNEL PROJECT" JACKSONVILLE FILE NO. 204-10, 179 SHEET 4 OF 9, NOV. 1934), SAID STRIP OF LAND LYING WITHIN "MAP OF MIAMI, DADE COUNTY, FLORIDA" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK B AT PAGE 41 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING AND BEING IN THE CITY OF MIAMI, MIAMI-DADE COUNTY FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT "B"; THENCE NORTH 02 DEGREES 16 MINUTES 58 SECONDS WEST FOR 51.14 FEET TO THE MEAN HIGH WATER LINE OF THE MIAMI RIVER AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 02 DEGREES 16 MINUTES 58 SECONDS WEST FOR 21.64 FEET (THE LAST MENTIONED TWO COURSES BEING COINCIDENT WITH THE EAST LINE OF SAID LOT "B"); THENCE NORTH 72 DEGREES 30 MINUTES 06 SECONDS WEST FOR 54.00 FEET; THENCE NORTH 69 DEGREES 34 MINUTES 09 SECONDS WEST FOR 39.07 FEET; THENCE NORTH 56 DEGREES 19 MINUTES 25 SECONDS WEST FOR 21.60 FEET; THENCE NORTH 65 DEGREES 34 MINUTES 11 SECONDS WEST FOR 24.13 FEET; THENCE NORTH 68 DEGREES 21 MINUTES 57 SECONDS WEST FOR 22.56 FEET; THENCE NORTH 71 DEGREES 08 MINUTES 27 SECONDS WEST FOR 27.78 FEET; THENCE NORTH 74 DEGREES 09 MINUTES 01 SECONDS WEST FOR 30.94 FEET; THENCE NORTH 82 DEGREES 24 MINUTES 33 SECONDS WEST FOR 20.15 FEET; THENCE NORTH 87 DEGREES 06 MINUTES 26 SECONDS WEST FOR 24.51 FEET; THENCE NORTH 84 DEGREES 33 MINUTES 45 SECONDS WEST FOR 18.54 FEET; THENCE NORTH 69 DEGREES 34 MINUTES 45 SECONDS WEST FOR 23.47 FEET (THE LAST MENTIONED ELEVENTH COURSES BEING COINCIDENT WITH THE LIMITS OF THE HISTORIC UPLAND, 1922-PRE DREDGE, AS SHOWN ON THE U.S. ENGINEER OFFICE MAP OF "U.S. HARBOR AT MIAMI, FLORIDA, MIAMI RIVER, JACKSONVILLE FILE NO. 5838-128, SEPT. 27, 1922); THENCE SOUTH 56 DEGREES 36 MINUTES 15 SECONDS EAST FOR 8.43 FEET; THENCE SOUTH 66 DEGREES 11 MINUTES 00 SECONDS EAST FOR 142.42 FEET; THENCE SOUTH 69 DEGREES 11 MINUTES 10 SECONDS EAST FOR 88.15 FEET; THENCE SOUTH 66 DEGREES 24 MINUTES 42 SECONDS EAST FOR 78.10 FEET, THE LAST MENTIONED FOUR COURSES BEING COINCIDENT WITH THE MEAN HIGH WATER LINE, TO THE POINT OF BEGINNING. SAID PRIVATE SUBMERGED LANDS CONTAINS 6,922 SQUARE FEET, MORE OR LESS.

NOTES:

- 1) BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF S 65°37'18" E, ALONG THE MONUMENT LINE OF N.W. SOUTH RIVER DRIVE.
- 2) PREPARED FOR: MARILYN PROPERTIES.
- 3) PROPERTY AS SHOWN HEREON CONTAINS 6,922 SQUARE FEET, MORE OR LESS.
- 4) AUTHENTIC COPIES OF THIS SKETCH AND LEGAL DESCRIPTION MUST BEAR THE EMBOSSED SEAL OF THE ATTESTING PROFESSIONAL LAND SURVEYOR.



Schuelke & Shiskin & Associates, Inc.

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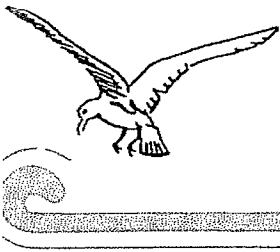
PREPARED UNDER MY SUPERVISION:

MARK STEVEN JOHNSON VICE-PRESIDENT
FLORIDA PROFESSIONAL LAND SURVEYOR No. 4775

REVISIONS

Attachment H

Construction Methodology



EBSARY

foundation company

MARINE AND ENGINEERING CONSTRUCTION

2154 N.W. North River Drive, Miami, Florida 33125-2297

Ofc. (305) 325-0530 • CC# E-502 • Fax (305) 325-8684

**Marilyn Properties River Terminal
Construction Methodology**

DERM Comment- *"Please provide a written construction methodology as to the installation of the 100l.f. of seawall and removal of the existing seawall in the area just west of the concrete platform."*

Since the new wall is 0-3ft behind the existing wall, the following construction methodology will take place:

1. The earth directly behind the existing wall will be excavated creating an embankment releasing pressure on the existing wall and mitigating wall failure.
2. Tie-rods that are in tact will be removed from the existing wall.
3. At this time, if the embankment is standing satisfactorily, the existing sheet pile may be removed. (If the embankment is not staying secure, the new sheet pile can be installed behind the existing sheet pile.)
4. The new sheet pile wall and tie-rods will be installed.
5. The new wall will be backfilled.
6. The existing sheet piles will be removed as required.

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DERM
Environmental Resources Regulation Division

Incorporated 1930

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Attachment I
DERM Project Report

PROJECT REPORT

CLASS I PERMIT APPLICATION NO. CC05-174

MARILYN PROPERTIES, INC. TO EXCAVATE UPLANDS TO RELOCATE ONE HUNDRED (100) LINEAR FEET OF BULKHEAD LANDWARD OF ITS PRESENT LOCATION, REPAIR THE PILE FOUNDATION OF A NON-WATER-DEPENDENT FIXED STRUCTURE, REPLACE AN EXISTING CONCRETE PLATFORM, REPLACE SIXTY-ONE (61) LINEAR FEET OF EXISTING BULKHEAD AND INSTALL TWO (2) MOORING DOLPHIN PILINGS

Date: April 2, 2007

Staff's recommendation of approval for the above-referenced permit application is based on the applicable evaluation factors under Section 24-48.3 of the Code of Miami-Dade County, Florida. The following is a summary of the proposed project with respect to each applicable evaluation factor:

1. **Potential Adverse Environmental Impact** – The potential for any adverse environmental impacts from the excavation of Uplands to Relocate One Hundred (100) Linear Feet of Existing Bulkhead Landward of its Present Location, the Repair of the Pile Foundation of a Non-Water-Dependent Fixed Structure, the Replacement an Existing Concrete Platform, the Replacement of Sixty-One (61) Linear Feet of Existing Bulkhead and the Installation of Two (2) Mooring Dolphin Pilings is minimal.
2. **Potential Cumulative Adverse Environmental Impact** – Not applicable.
3. **Hydrology** - The proposed project is designed in accordance with the Department of Environmental Resources Management and United States Army Corps of Engineers' criteria and design standards. The proposed project, as designed, is not reasonably expected to adversely affect surface water drainage or retention of stormwater.
4. **Water Quality** – The proposed project is expected to temporarily affect surface water quality during the construction phase of the project, however these impacts will be minimized to the maximum extent practicable by the implementation of proper turbidity control devices. The Class I Permit will require the applicant to employ appropriate turbidity control devices such as, but not limited to, turbidity curtains during all phases of construction (see Attachment I).
5. **Wellfields** – Not applicable.
6. **Water Supply** – Not applicable.
7. **Aquifer Recharge** – Not applicable.
8. **Aesthetics** – The proposed project is not reasonably expected to have negative aesthetic impacts. However, during the construction process there may be temporary aesthetic impacts related to the presence of barges with dredge equipment and other vessels association with the construction activities.
9. **Navigation** –The proposed project is not reasonably expected to adversely affect navigation.
10. **Public Health** - The proposed project is not reasonably expected to adversely affect public health.
11. **Historic Values**- The proposed project is not reasonably expected to adversely affect historic values. However, the Class I permit shall contain conditions requiring monitoring the site for historic resources as recommended by the Miami-Dade County Department of Community and Economic Development, Historic Preservation Division. If historical artifacts are discovered during the project, the contractor and permittee shall cease and desist all activities, which may disturb the soil in the immediate area, and contact the Miami-Dade County Department of Community and Economic Development, Historic Preservation Division as well as the State of Florida Bureau of Historic Preservation, Division of Historical Resources.

12. **Archaeological Values** - The proposed project is not reasonably expected to adversely affect archaeological values. However, the Class I permit shall contain conditions requiring monitoring the site for archaeological resources as recommended by the Miami-Dade County Department of Community and Economic Development, Historic Preservation Division. If archaeological artifacts are discovered during the project, the contractor and permittee shall cease and desist all activities, which may disturb the soil in the immediate area, and contact the Miami-Dade County Department of Community and Economic Development, Historic Preservation Division as well as the State of Florida Bureau of Historic Preservation, Division of Historical Resources.
13. **Air Quality** – The proposed project is not reasonably expected to affect air quality.
14. **Marine and Wildlife Habitats**– The proposed project will cause temporary disturbances of the benthic soils located adjacent to the existing bulkhead. Although the soils may support limited numbers of marine infauna (i.e. benthic fauna living within the substrate), the soils do not support any significant marine resources. Mitigation for unavoidable impacts associated with replacement of the bulkhead will be provided through the placement of a total of one hundred sixty-one (161) cubic yards of limestone riprap boulders at a DERM-approved artificial reef site.
15. **Wetland Soils Suitable for Habitat** – There are no wetland soils suitable for habitat in the footprint of the proposed work.
16. **Floral Values** –The proposed project is not reasonably expected to affect marine flora. There is no marine flora located in the proposed project locations.
17. **Fauna Values** - The proposed project may cause temporary impacts to marine fauna resulting from turbidity as a result of the excavation of uplands to replace one hundred (100) linear feet of bulkhead landward of its present location, the repair of the pile foundation of the non-water-dependent fixed structure, the replacement of a concrete platform, the replacement of sixty-one (61) linear feet of existing bulkhead, and installation of mooring dolphin pilings. However, these impacts will be minimized to the maximum extent practicable through the implementation of turbidity control devices such as, but not limited to, turbidity curtains and the implementation of standard manatee protection provisions required in the Class I Permit.
18. **Rare, threatened and Endangered Species** – The proposed project is not expected to adversely affect any rare, threatened or endangered species provided standard manatee protection measures are implemented. The Miami River is designated as essential manatee habitat. However, the Class I Permit will require that all standard manatee construction permit conditions shall be followed during all in-water construction operations.
19. **Natural Flood Damage Protection** - The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater. The Class I Permit will require the new seawall cap to be a minimum of 6 inches above grade to prevent positive stormwater drainage into tidal waters.
20. **Wetland Values** - The proposed project does not involve dredging or filling of wetlands.

21. **Land Use Classification** – Pursuant to Section 24-48.2(II)(A)(7), of the Code of Miami-Dade County, Florida, a substantiating letter shall be submitted stating that the proposed project does not violate any zoning laws. Said letter will be submitted after the approval by the Board of County Commissioners and prior to the issuance of a Class I Permit.
22. **Recreation** - The proposed project does not conflict with the recreation element of the Miami-Dade County Comprehensive Development Master Plan and recreation element of the Biscayne Bay Management Plan recreation elements.
23. **Other Environmental Values Affecting the Public Interest** – The proposed project is not reasonably expected to adversely affect environmental values affecting the public interest. The subject submerged lands are owned by the applicant (see Attachment G).
24. **Conformance with Standard Construction Procedures and Practices and Design and Performance Standards** – The proposed project complies with the standard construction procedures and practices and design and performance standards of the applicable portions of the following:
 - Miami-Dade County Public Works Manual
 - Biscayne Bay Management Plan (Section 33D-1 through 33-D-4 of the Code of Miami-Dade County)
 - Chapter 33B of the Code of Miami-Dade County
25. **Comprehensive Environmental Impact Statement (CEIS)** - In the opinion of the Director, the proposed project will result in neither adverse environmental impacts nor cumulative adverse environmental impacts. Therefore, a CEIS was not required by DERM to evaluate the project.
26. **Conformance with All Applicable Federal, State and Local Laws and Regulations** - The proposed project is in conformance with the following applicable State, Federal and local laws and regulations:
 - a) Biscayne Bay Management Plan
 - b) Biscayne Bay Aquatic Preserve Act
 - c) United States Clean Water Act (Army Corps of Engineers permit)
 - d) Federal Endangered Species Act (US Fish & Wildlife Service)
 - e) Florida Department of Environmental Protection Regulations
 - f) Chapter 24 of the Code of Miami-Dade County
 - g) Rule of the South Florida Water Management District
 - h) Basis of Review for Surface Water Management Permit Applications Within the South Florida Water Management District
27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of DERM, the proposed project is in conformance with the CDMP. The following is a summary of the proposed project as it relates to the CDMP:

LAND USE ELEMENT I:

Objective 2/Policy 2A - Level of Service. The proposed project does not involve new or significant expansion of existing urban land uses.

Objective 3/Policies 3A, 3B, 3C - Protection of natural resources and systems. – The proposed project is consistent with the Conservation and Coastal Management Elements of the CDMP. The project is compatible with surrounding land uses in Biscayne Bay and does not involve development in the Big Cypress area of Critical State concern or the East Everglades.

TRANSPORTATION ELEMENT II

Aviation Subelement/Objective 9 - Aviation System Expansion - There is no aviation element to the proposed project.

Port of Miami River Subelement/Objective 3 - Minimization of impacts to estuarine water quality and marine resources. The proposed project is located within the Miami River and will result in minimal impacts to estuarine water quality and marine resources. Any temporary water quality impacts will be minimized through the use of turbidity controls.

CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:

Objective 3/Policies 3A, 3B, 3D - Wellfield protection area protection. - The proposed project is not located within a wellfield protection area.

Objective 3/Policy 3E - Limestone mining within the area bounded by the Florida Turnpike, the Miami-Dade/Broward Levee, N.W. 12 Street and Okeechobee Road. - The proposed project is not located within this area.

Objective 4/Policies 4A, 4B, 4C - Water storage, aquifer recharge potential and maintenance of natural surface water drainage. - The proposed project will not adversely affect water storage, aquifer recharge potential or natural surface water drainage. The proposed project does not involve positive drainage of wetland area and will not affect water storage or aquifer recharge potential.

Objective 5/Policies 5A, 5B, 5F - Flood protection and cut and fill criteria. – The proposed project does not compromise flood protection, involve filling for development purposes, and is not related to cut and fill activities.

Objective 6/Policy 6A - Areas of highest suitability for mineral extraction. - The proposed project is not located in an area proposed or suitable for mineral extraction.

Objective 6/Policy 6B - Guidelines for rock quarries for the re-establishment of native flora and fauna. - The proposed project is not located in a rock quarry.

Objective 6/Policy 6D - Suitable fill material for the support of development. – The proposed project does not filling for the purposes of development.

Objective 7/Policy 7A - No net loss of high quality, relatively unstressed wetlands. – The proposed project will not result in a net loss of any such wetlands.

Objective 9/Policies 9A, 9B, 9C - The proposed project is not reasonably expected to affect any rare, threatened or endangered species provided standard manatee protection measures are implemented.

COASTAL MANAGEMENT ELEMENT IX:

Objective 1/Policy 1A - Tidally connected mangroves in mangrove protection areas – There are no mangroves in the project area and the project is not located within a designated “Mangrove Protection Area.”

Objective 1/ Policy 1B - Natural surface flow into and through coastal wetlands. – The project will not affect natural surface flow into and through coastal wetlands.

Objective 1/ Policy 1C - Elevated boardwalk access through mangroves. – The project does not involve access through a Mangrove Protection Area.

Objective 1/Policy 1D - Protection and maintenance of mangrove forests and related natural vegetational communities. - The proposed project does not involve work in mangrove forests, coastal hammock, or other natural vegetational communities.

Objective 1/Policy 1E - Mitigation for the degradation and destruction of coastal wetlands. Monitoring and maintenance of mitigation areas. – The proposed project does not involve the degradation and destruction of coastal wetlands and therefore does not involve monitoring of mitigation for impacts to coastal wetlands.

Objective 1/Policy 1G - Prohibition on dredging or filling of grass/algal flats, hard bottom or other viable benthic communities, except as provided for in Chapter 24 of the Code of Miami-Dade County, Florida. – The project does not involve the dredging or filling of grass/algal flats, hard bottom or other viable benthic communities.

Objective 2/Policies 2A, 2B - Beach restoration and renourishment objectives. - The proposed project does not involve beach restoration or renourishment.

Objective 3/Policy 3E, 3F - Location of new cut and spoil areas for proper stabilization and minimization of damages. - The proposed project does not involve the development or identification of new cut or spoil areas.

Objective 5/Policy 5B - Existing and new areas for water-dependent uses. - The proposed project will enhance existing water-dependent uses associated with the existing bulkhead.

Objective 5/Policy 5D - Consistency with Chapter 33D, Miami-Dade County Code (shoreline access, environmental compatibility of shoreline development) - The proposed project does not require review by the Shoreline Development Review Committee.

Objective 5/Policy 5F - The siting of water dependent facilities. - The proposed project does not involve the creation of any new water dependent facilities.

28. **Conformance with Chapter 33B, Miami-Dade County Code** (East Everglades Zoning Overlay Ordinance) – The proposed project is not located within the East Everglades Area.

29. **Conformance with Miami-Dade County Ordinance 81-19** (Biscayne Bay Management Plan Section 33D-1 through 33D-4) - The proposed project is not located within Biscayne Bay.

30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The project area is located within essential habitat for the West Indian Manatee (*Trichechus manatus*). The proposed project is not expected to adversely affect any rare, threatened or endangered species provided standard manatee protection measures are implemented. The Miami River is designated as essential manatee habitat. However, the Class I Permit will require that all standard manatee construction permit conditions shall be followed during all in-water construction operations.
31. **Consistency with Miami-Dade County Criteria for Lake Excavation** – The proposed project does not involve lake excavation.
32. **Municipality Recommendation** – Pursuant to Section 24-48.2(II)(A)(7), Code of Miami-Dade County, Florida, a substantiating letter shall be submitted stating that the proposed project does not violate any zoning laws. Said letter will be submitted after the approval by the Board of County Commissioners and prior to the issuance of the Class I Permit.
33. **Coastal Resources Management Line** - A coastal resources management line was not required for the proposed project, pursuant to Section 24-48.2(II)(A)(10)(b) of the Code of Miami-Dade County, Florida.
34. **Maximum Protection of a Wetland's Hydrological and Biological Functions** – The proposed project is not expected to impact wetland hydrological and biological functions.
35. **Class I Permit Applications Proposing to Exceed the Boundaries Described in Section D-5.03(2)(a) of the Miami-Dade County Public Works Manual** – DERM has considered the following factors:
 - i) **Whether the proposed exceedance is the minimum necessary to avoid seagrasses or other valuable environmental resources** – Not applicable.
 - ii) **Whether the proposed exceedance is the minimum necessary to achieve adequate water depth for mooring of a vessel** – Not applicable.
 - iii) **Whether the applicant has provided notarized letters of consent to DERM from adjoining riparian property owners** – Not applicable.
 - iv) **Whether any letters of objection from adjoining riparian property owners were received by DERM** – Not applicable.

The proposed project was also evaluated for compliance with the standards contained in Section 24-48.3(2),(3), and (4) of the Code of Miami-Dade County, Florida. The following is a summary of how the standards relate to the proposed project:

24-48.3 (2) Dredging and Filling for Class I Permit - The proposed project does not involve dredging and filling activities.

24-48.3 (3) Minimum Water Depth Required for Boat Slips Created by the Construction or Placement of Fixed or Floating Docks and Piers, Piles and Other Structures Requiring a Permit Under Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County - The proposed project complies with the water depth requirements set forth in Section 24-48.3(3) of the Code of Miami-Dade County.

24-48.3 (4) Clean Fill in Wetlands – The proposed project does not involve placing clean fill in wetlands.

BASED ON THE FOREGOING, IT IS RECOMMENDED THAT A CLASS I PERMIT BE APPROVED.



Luis C. Otero, Manager
Coastal Resources Section



Muriel M. Blaisdell, ERPS
Coastal Resources Section